

**MONDAY, MAY 24, 2010**

**EIGHTY-EIGHTH LEGISLATIVE DAY**

**CALL TO ORDER**

The Senate met at 1:00 p.m., and was called to order by Mr. Speaker Ramsey.

**PRAYER**

The proceedings were opened with prayer by Senator Watson.

**PLEDGE OF ALLEGIANCE**

Senator Watson led the Senate in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 33

Senators present were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

**STANDING COMMITTEE REPORTS**

**FINANCE, WAYS AND MEANS**

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 3901 with amendment.

MCNALLY, Chairperson  
May 13, 2010

The Speaker announced that he had referred Senate Bill No. 3901 with amendment to the Committee on Calendar.

**FINANCE, WAYS AND MEANS**

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 3333 with amendment and 3905; and House Joint Resolutions Nos. 708, 744, 769, 781, 793, 796, 807, 890, 959, 974, 1019, 1074, 1078, 1161, 1191 and 1222.

MCNALLY, Chairperson  
May 17, 2010

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The Speaker announced that he had referred Senate Bills Nos. 3333 with amendment and 3905; and House Joint Resolutions Nos. 708, 744, 769, 781, 793, 796, 807, 890, 959, 974, 1019, 1074, 1078, 1161, 1191 and 1222 to the Committee on Calendar.

### **FINANCE, WAYS AND MEANS**

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1916 with amendment, 2699, 2702, 2809 with amendment, 2900, 2901, 2902 with amendment, 3096 with amendment and 3271; and House Joint Resolution No. 30.

MCNALLY, Chairperson  
May 18, 2010

The Speaker announced that he had referred Senate Bills Nos. 1916 with amendment, 2699, 2702, 2809 with amendment, 2900, 2901, 2902 with amendment, 3096 with amendment and 3271; and House Joint Resolution No. 30 to the Committee on Calendar.

### **PRESENTATION**

Senator Beavers presented **Senate Joint Resolution No. 1192** to Mr. John J. Hooker.

### **MOTION**

Senator Beavers moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 1215**, out of order, which motion prevailed.

### **RESOLUTION LYING OVER**

**Senate Joint Resolution No. 1215** by Senator Beavers.  
Memorials, Public Service -- Alexander McVeagh, Senate Judiciary Committee.

On motion of Senator Beavers, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 1215** was adopted.

### **PRESENTATION**

Senator Beavers presented **Senate Joint Resolution No. 1215** to Mr. Alexander McVeagh.

### **MOTION**

Senator Haynes moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 1236**, out of order, which motion prevailed.

### **INTRODUCTION OF RESOLUTION**

**Senate Joint Resolution No. 1236** by Senator Haynes.  
Memorials, Interns -- Colin Williams.

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On motion of Senator Haynes, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 1236** was adopted.

### MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bill No. 3943** be passed on first consideration, which motion prevailed.

### INTRODUCTION OF BILL

The Speaker announced that the following bill was filed for introduction and passed first consideration:

**Senate Bill No. 3943** by Senator Faulk.

Hancock County -- As introduced, subject to local approval, authorizes Hancock County to operate a home health agency in Grainger, Claiborne, and Hawkins counties.

### MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 59, 1273, 1323, 2284, 2486, 2600, 2781, 3259, 3526, 3537, 3538, 3543, 3591, 3739, 3740, 3794, 3812, 3850, 3904, 3923, 3981 and 3997** be passed on first consideration, which motion prevailed.

### HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

**House Bill No. 59** -- Insurance, Health, Accident -- As introduced, requires Departments of Education and Health to establish minimum guidelines for health insurance coverage required for attendance in K-12 schools; and requires children's proof of health insurance prior to school admittance yearly. Amends TCA Title 49; Title 56 and Title 67.

**House Bill No. 1273** -- Administrative Procedure (UAPA) -- As introduced, revises date when permanent rules filed with secretary of state expire unless continued by the general assembly. Amends TCA Title 4, Chapter 5, Part 2.

**House Bill No. 1323** -- Transportation, Dept. of -- As introduced, revises duties of the commissioner to require the estimated dollar amount needed to implement the long-range and coordinated statewide transportation plan be reported to the general assembly every year or more frequently as the commissioner may determine. Amends TCA Title 4; Title 9; Title 47; Title 54; Title 55 and Title 65.

**House Bill No. 2284** -- Abuse -- As introduced, enacts the "Elderly and Disabled Adults Protection Act of 2009". Amends TCA Title 33; Title 34; Title 63; Title 68 and Title 71.

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**House Bill No. 2486** -- Traffic Safety -- As introduced, requires certain motor vehicles or trailers transporting loads at night to mount strobe or LED light at back of projecting load. Amends TCA Title 55, Chapter 9, Part 4.

**House Bill No. 2600** -- Sunset Laws -- As introduced, extends the board of nursing, June 30, 2011. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 7, Part 2.

**House Bill No. 2781** -- Domestic Violence -- As introduced, requires persons convicted of domestic assault to attend counseling for the duration of their sentence for such offense. Amends TCA Title 39, Chapter 13, Part 1.

**House Bill No. 3259** -- Uniform Commercial Code -- As introduced, gives priority to perfected purchase-money security interests over any taxes assessed by the state, a county, or municipality, taxing district, or other local governmental entity. Amends TCA Title 67.

**House Bill No. 3526** -- Health Care -- As introduced, creates a stand-alone "Department of Intellectual and Developmental Disabilities". Amends TCA Title 2; Title 3; Title 4; Title 8; Title 12; Title 33; Title 36; Title 37; Title 39; Title 40; Title 41; Title 45; Title 49; Title 50; Title 53; Title 55; Title 56; Title 57; Title 63; Title 67; Title 68 and Title 71.

**House Bill No. 3537** -- Tennessee Bureau of Investigation -- As introduced, designates fees for certain laboratory procedures conducted by the TBI and allocates proceeds from such fees to a fund for use by the bureau. Amends TCA Title 38, Chapter 6.

**House Bill No. 3538** -- Fines and Penalties -- As introduced, increases mandatory drug testing fee from \$100 to \$250 and additionally imposes fine on granting of pretrial or judicial diversion. Amends TCA Title 39, Chapter 17, Part 4.

**House Bill No. 3543** -- Fines and Penalties -- As introduced, increases blood alcohol or drug concentration test (BADT) fee from \$100 to \$250, and adds to present offenses mandating such fine conviction of reckless driving or simple possession or casual exchange of controlled substance. Amends TCA Title 55, Chapter 10, Part 4.

**House Bill No. 3591** -- Business and Commerce -- As introduced, revises provisions concerning state contracting with small, minority-owned and women-owned businesses; establishes Tennessee small business preference. Amends TCA Title 12, Chapter 3.

**House Bill No. 3739** -- Highway Signs -- As introduced, expresses intent to name appropriate bridge on State Route 840 in honor of the late Sgt. David Alexander Stephens, U.S. Army.

**House Bill No. 3740** -- Highway Signs -- As introduced, expresses intent to name appropriate bridge on State Route 840 in honor of the late PFC Brian J. Schoff, U.S. Army.

**House Bill No. 3794** -- Education -- As introduced, changes the date by which the director of schools and the chair of the board of each LEA must certify to the commissioner that all children enrolled in that LEA have been furnished all required textbooks; and requires the "parent" instead of the "mother" of a child enrolled within a model teen learning center to participate in the center's program of child care and instruction. Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3 and Title 49, Chapter 5.

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**House Bill No. 3812** -- Professions and Occupations -- As introduced, prohibits any partnership, association, company, or corporation from engaging in the business of locksmithing in this state without first registering as a locksmith business; and revises various provisions regarding licensure for locksmiths and locksmith apprentices. Amends TCA Section 62-11-104; Section 62-11-106; Section 62-11-111 and Section 62-11-112.

**House Bill No. 3850** -- Children's Services, Dept. of -- As introduced, increases membership of children's services advisory council from 15 to 17; expands members' term length from three to four years; requires council to make an annual report. Amends TCA Title 37, Chapter 5.

**House Bill No. 3904** -- Tourism -- As introduced, enacts the "Tennessee Adventure Tourism and Rural Development Act of 2010". Amends TCA Title 4; Title 5; Title 6; Title 11; Title 54; Title 55; Title 67; Title 68 and Title 70.

**House Bill No. 3923** -- Professions and Occupations -- As introduced, updates licensing requirements for locksmiths in accordance with the Locksmith Licensing Act of 2006. Amends TCA Title 62.

**House Bill No. 3981** -- Hancock County -- As introduced, subject to local approval, authorizes Hancock County to operate a home health agency in Grainger, Claiborne, and Hawkins counties.

**House Bill No. 3997** -- Ripley -- As introduced, subject to local approval by referendum, establishes the Ripley Energy Authority. Amends Chapter 128 of the Private Acts of 2006.

### MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bill No. 3956** be passed on second consideration and be referred to the appropriate committee or held on the Clerk's desk, which motion prevailed.

### SENATE BILL ON SECOND CONSIDERATION

The Speaker announced that the following bill passed second consideration and was referred to the appropriate committee or held on the Clerk's desk:

**Senate Bill No. 3956** Local bill -- held on desk.

### MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 1199 through 1214, 1216 through 1235 and 1237 through 1261**; and **Senate Resolutions Nos. 226 through 228** be passed on first consideration and lie over, which motion prevailed.

### INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

**Senate Joint Resolution No. 1199** by Senator Burks.  
Memorials, Academic Achievement -- Mason Hensley, Salutatorian, Jackson County High School.

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**Senate Joint Resolution No. 1200** by Senator Stewart.  
Memorials, Retirement -- Linda Johnson.

**Senate Joint Resolution No. 1201** by Senator Stewart.  
Memorials, Retirement -- Eddie Hobbs.

**Senate Joint Resolution No. 1202** by Senator Stewart.  
Memorials, Retirement -- Archeen Rush Larry.

**Senate Joint Resolution No. 1203** by Senator Stewart.  
Memorials, Retirement -- Teresa Knowles.

**Senate Joint Resolution No. 1204** by Senator Overbey.  
Memorials, Retirement -- Joseph Dawson.

**Senate Joint Resolution No. 1205** by Senator Overbey.  
Memorials, Interns -- Kara Kristine Anderson.

**Senate Joint Resolution No. 1206** by Senator Burks.  
Memorials, Retirement -- Pat Swallows.

**Senate Joint Resolution No. 1207** by Senator Burks.  
Memorials, Recognition -- Jonathan P. Goodwin.

**Senate Joint Resolution No. 1208** by Senator Johnson.  
Memorials, Retirement -- Isaac Brown.

**Senate Joint Resolution No. 1209** by Senator Bunch.  
Memorials, Public Service -- Nadean Cunningham.

**Senate Joint Resolution No. 1210** by Senator Overbey.  
Memorials, Retirement -- Frederick H. Forster.

**Senate Joint Resolution No. 1211** by Senator Kyle.  
Memorials, Academic Achievement -- William Taylor, Salutatorian, Memphis University School.

**Senate Joint Resolution No. 1212** by Senator Kyle.  
Memorials, Academic Achievement -- Andrew Chinn, Valedictorian, Memphis University School.

**Senate Joint Resolution No. 1213** by Mr. Speaker Ramsey.  
Memorials, Recognition -- Becky Hill.

**Senate Joint Resolution No. 1214** by Senator Yager.  
Memorials, Death -- Kathryn Marjorie Crowell Michener.

**Senate Joint Resolution No. 1216** by Senator Haynes.  
Memorials, Personal Achievement -- Ferlin Husky, Country Music Hall of Fame.

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**Senate Joint Resolution No. 1217** by Senator Stewart.

Memorials, Retirement -- Roger Jolley.

**Senate Joint Resolution No. 1218** by Senator Stewart.

Memorials, Retirement -- Janie Moore.

**Senate Joint Resolution No. 1219** by Senator Black.

Memorials, Sports -- Coach Mike Hendrix, Hendersonville High School.

**Senate Joint Resolution No. 1220** by Senator Black.

Memorials, Public Service -- Senator Dewayne Bunch.

**Senate Joint Resolution No. 1221** by Senator Black.

Memorials, Academic Achievement -- Matthew Brian Reecer, Salutatorian, Portland High School.

**Senate Joint Resolution No. 1222** by Senator Black.

Memorials, Academic Achievement -- Stephen Lentz Derryberry, Jr., Valedictorian, Portland High School.

**Senate Joint Resolution No. 1223** by Senator Black.

Memorials, Academic Achievement -- Andrew Nash, Valedictorian, White House Heritage High School.

**Senate Joint Resolution No. 1224** by Senator Black.

Memorials, Academic Achievement -- Douglas Holder, Salutatorian, White House Heritage High School.

**Senate Joint Resolution No. 1225** by Senator Black.

Memorials, Academic Achievement -- Jesus Gonzalez, Valedictorian, South Haven Christian School.

**Senate Joint Resolution No. 1226** by Senator Black.

Memorials, Academic Achievement -- Rebecca Morgan, Salutatorian, South Haven Christian School.

**Senate Joint Resolution No. 1227** by Senator Black.

Memorials, Academic Achievement -- Aaron Fairchild, Salutatorian, Christian Community High School.

**Senate Joint Resolution No. 1228** by Senator Black.

Memorials, Academic Achievement -- Nickolas Franklin Luttrell, Valedictorian, Springfield High School.

**Senate Joint Resolution No. 1229** by Senator Black.

Memorials, Academic Achievement -- Ryan Alexander King, Salutatorian, Springfield High School.

**Senate Joint Resolution No. 1230** by Senator Black.

Memorials, Academic Achievement -- Marie Jones, Valedictorian, Christian Community High School.

**Senate Joint Resolution No. 1231** by Senator Black.

Memorials, Academic Achievement -- Alice Antimie, Salutatorian, Hendersonville Christian Academy.

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**Senate Joint Resolution No. 1232** by Senator Black.

Memorials, Academic Achievement -- Jared Dylan Colvin, Valedictorian, Hendersonville Christian Academy.

**Senate Joint Resolution No. 1233** by Senator Black.

Memorials, Sports -- Abby Wilson and Tsali Franklin, Gallatin High School, doubles tennis champions.

**Senate Joint Resolution No. 1234** by Senators Woodson, McNally, Henry and Haynes.

Memorials, Public Service -- Senator Tim Burchett.

**Senate Joint Resolution No. 1235** by Senator Southerland.

Memorials, Interns -- Jason Parker.

**Senate Joint Resolution No. 1237** by Senator Herron.

Memorials, Professional Achievement -- Dave Chaffin, 2009 AP's Best Radio Newscaster Award.

**Senate Joint Resolution No. 1238** by Senator Herron.

Memorials, Interns -- Thomas Austin Watkins.

**Senate Joint Resolution No. 1239** by Senator Herron.

Memorials, Academic Achievement -- Rebecca Jo Moore, Valedictorian, Dresden High School.

**Senate Joint Resolution No. 1240** by Senator Herron.

Memorials, Academic Achievement -- Amber Crafton, Salutatorian, Dresden High School.

**Senate Joint Resolution No. 1241** by Senator Herron.

Memorials, Academic Achievement -- Marianela D'Aprile, Valedictorian, Martin Westview High School.

**Senate Joint Resolution No. 1242** by Senator Herron.

Memorials, Academic Achievement -- Timothy Bergman, Salutatorian, Martin Westview High School.

**Senate Joint Resolution No. 1243** by Senator Herron.

Memorials, Academic Achievement -- Katelin McCall, Valedictorian, Greenfield High School.

**Senate Joint Resolution No. 1244** by Senator Herron.

Memorials, Academic Achievement -- Dakota Betts, Salutatorian, Greenfield High School.

**Senate Joint Resolution No. 1245** by Senator Herron.

Memorials, Academic Achievement -- Elizabeth Terrell, Valedictorian, Gleason High School.

**Senate Joint Resolution No. 1246** by Senator Herron.

Memorials, Academic Achievement -- Ryan Richardson, Salutatorian, Gleason High School.

**Senate Joint Resolution No. 1247** by Senator Herron.

Memorials, Academic Achievement -- Adilene Rodriguez, Valedictorian, Lake County High School.

**Senate Joint Resolution No. 1248** by Senator Herron.

Memorials, Academic Achievement -- Wendy Mills, Salutatorian, Lake County High School.



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**Senate Joint Resolution No. 1249** by Senators Berke and Watson.

Memorials, Recognition -- Chattanooga School for the Liberal Arts, Magnet Schools of America Top Elementary Magnet School in the U.S.

**Senate Joint Resolution No. 1250** by Senators Berke and Watson.

Memorials, Academic Achievement -- Brooke Reed, Leonore Annenberg Scholarship.

**Senate Joint Resolution No. 1251** by Senator Finney.

Memorials, Public Service -- Betty Poteete, Democratic Party Chairwoman for Gibson County.

**Senate Joint Resolution No. 1252** by Senator Finney.

Memorials, Sports -- Peabody High School Tennis Teams.

**Senate Joint Resolution No. 1253** by Senator Finney.

Memorials, Recognition -- Lex Suite, first place winner, Value-Added Achievement Awards.

**Senate Joint Resolution No. 1254** by Senator Finney.

Memorials, Retirement -- Dale Kelley.

**Senate Joint Resolution No. 1255** by Senator Yager.

Memorials, Death -- Calvin Houston Cheek.

**Senate Joint Resolution No. 1256** by Senator Herron.

Memorials, Academic Achievement -- Sarah McPeake, Valedictorian, Lexington High School.

**Senate Joint Resolution No. 1257** by Senator Herron.

Memorials, Academic Achievement -- Nissa Lomax, Salutatorian, Perry County High School.

**Senate Joint Resolution No. 1258** by Senator Herron.

Memorials, Academic Achievement -- Ariel Stearnes, Valedictorian, Perry County High School.

**Senate Joint Resolution No. 1259** by Senator Herron.

Memorials, Academic Achievement -- Shelby Mills, Salutatorian, Lexington High School.

**Senate Joint Resolution No. 1260** by Senator Herron.

Basic Education Program (BEP) -- Requests the State Board of Education and the BEP Review Committee to analyze impact of recent flood on local governments' fiscal capacity.

**Senate Joint Resolution No. 1261** by Senator Bunch.

Memorials, Death -- Harlan White.

**Senate Resolution No. 226** by Senator Southerland.

Memorials, Interns -- Jason Parker.

**Senate Resolution No. 227** by Senator Jackson.

Memorials, Interns -- Andrew "Drew" Chance.

**Senate Resolution No. 228** by Senator McNally.

Memorials, Interns -- Jacob Baggett.

**MOTION**

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 759, 820, 843, 992, 1041, 1051, 1149, 1218, 1272 through 1287, 1289 through 1298, 1300 through 1304, 1306 through 1317 and 1319 through 1332; Senate Joint Resolutions Nos. 1181 through 1191, 1193 and 1195 through 1197; and Senate Resolution No. 225** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

**RESOLUTIONS LYING OVER**

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

**House Joint Resolution No. 759** -- Memorials, Public Service -- Congressman John Tanner.

The Speaker announced that he had referred House Joint Resolution No. 759 to the Committee on Calendar.

**House Joint Resolution No. 820** -- General Assembly, Statement of Intent or Position -- Requests approval from Tennessee Valley Authority for construction of Campbell County Lighthouse Lodge and Convention Center.

The Speaker announced that he had referred House Joint Resolution No. 820 to the Committee on Environment, Conservation and Tourism.

**House Joint Resolution No. 843** -- Memorials, Death -- Don Spain.

The Speaker announced that he had referred House Joint Resolution No. 843 to the Committee on Calendar.

**House Joint Resolution No. 992** -- Highway Signs -- "John M. Stone, Sr., Highway", segment of U.S. Highway 70 in Metropolitan Nashville and Davidson County.

The Speaker announced that he had referred House Joint Resolution No. 992 to the Committee on Finance, Ways and Means.

**House Joint Resolution No. 1041** -- General Assembly, Statement of Intent or Position -- Urges the Department of Health to consider establishing a coordinating committee on chronic obstructive pulmonary disease (COPD); identifying COPD as a chronic disease in order to collect relevant data; and developing a public awareness campaign.

The Speaker announced that he had referred House Joint Resolution No. 1041 to the Committee on General Welfare, Health and Human Resources.

**House Joint Resolution No. 1051** -- General Assembly, Statement of Intent or Position -- Directs TWRA to restore slot/length limit for small mouth bass on Norris Lake to five per day with a minimum length of 18 inches.

The Speaker announced that he had referred House Joint Resolution No. 1051 to the Committee on Environment, Conservation and Tourism.

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**House Joint Resolution No. 1149** -- Highway Signs -- "Reverend Clay Evans Road", segment of State Route 19 in Haywood County.

The Speaker announced that he had referred House Joint Resolution No. 1149 to the Committee on Finance, Ways and Means.

**House Joint Resolution No. 1218** -- Memorials, Death -- Representative Larry Turner.

The Speaker announced that he had referred House Joint Resolution No. 1218 to the Committee on Calendar.

**House Joint Resolution No. 1272** -- Memorials, Retirement -- Sgt. Mike Weathers.

The Speaker announced that he had referred House Joint Resolution No. 1272 to the Committee on Calendar.

**House Joint Resolution No. 1273** -- Memorials, Professional Achievement -- Grady Williams, Top Manager for 2010.

The Speaker announced that he had referred House Joint Resolution No. 1273 to the Committee on Calendar.

**House Joint Resolution No. 1274** -- Memorials, Professional Achievement -- Sandy Adams, 2010 Tennessee Academy of Science Outstanding Teacher.

The Speaker announced that he had referred House Joint Resolution No. 1274 to the Committee on Calendar.

**House Joint Resolution No. 1275** -- Memorials, Recognition -- Dr. Shannon Grooms, named one of Tennessee's top principals by the Education Consumers Foundation.

The Speaker announced that he had referred House Joint Resolution No. 1275 to the Committee on Calendar.

**House Joint Resolution No. 1276** -- Memorials, Recognition -- Shawna McAdams, East Robertson High School, Youth Leadership Robertson County Class of 2010.

The Speaker announced that he had referred House Joint Resolution No. 1276 to the Committee on Calendar.

**House Joint Resolution No. 1277** -- Memorials, Recognition -- Katelyn Templeton, Greenbrier High School, Youth Leadership Robertson County Class of 2010.

The Speaker announced that he had referred House Joint Resolution No. 1277 to the Committee on Calendar.

**House Joint Resolution No. 1278** -- Memorials, Recognition -- Tyler West, Greenbrier High School, Youth Leadership Robertson County Class of 2010.

The Speaker announced that he had referred House Joint Resolution No. 1278 to the Committee on Calendar.

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**House Joint Resolution No. 1279** -- Memorials, Recognition -- Zachary Ragland, Heritage High School, Youth Leadership Robertson County, Class of 2010.

The Speaker announced that he had referred House Joint Resolution No. 1279 to the Committee on Calendar.

**House Joint Resolution No. 1280** -- Memorials, Recognition -- Forest Shoults, Youth Leadership Robertson County Class of 2010.

The Speaker announced that he had referred House Joint Resolution No. 1280 to the Committee on Calendar.

**House Joint Resolution No. 1281** -- Memorials, Recognition -- Abner Herndon, Jo Byrns High School, Youth Leadership Robertson County Class of 2010.

The Speaker announced that he had referred House Joint Resolution No. 1281 to the Committee on Calendar.

**House Joint Resolution No. 1282** -- Memorials, Recognition -- Kelsi Brown, White House Heritage High School, Youth Leadership Robertson County Class of 2010.

The Speaker announced that he had referred House Joint Resolution No. 1282 to the Committee on Calendar.

**House Joint Resolution No. 1283** -- Memorials, Recognition -- Stacey Copeland, Jo Byrns High School, Youth Leadership Robertson County Class of 2010.

The Speaker announced that he had referred House Joint Resolution No. 1283 to the Committee on Calendar.

**House Joint Resolution No. 1284** -- Memorials, Recognition -- Katie Beth Hayes, Springfield High School, Youth Leadership Robertson County Class of 2010.

The Speaker announced that he had referred House Joint Resolution No. 1284 to the Committee on Calendar.

**House Joint Resolution No. 1285** -- Memorials, Recognition -- Steven Palmer, Springfield High School, Youth Leadership Robertson County Class of 2010.

The Speaker announced that he had referred House Joint Resolution No. 1285 to the Committee on Calendar.

**House Joint Resolution No. 1286** -- Memorials, Recognition -- Katie Spears, Youth Leadership Robertson County Class of 2010.

The Speaker announced that he had referred House Joint Resolution No. 1286 to the Committee on Calendar.

**House Joint Resolution No. 1287** -- Memorials, Recognition -- Jared Leftrick, Springfield High School, Youth Leadership Robertson County Class of 2010.

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The Speaker announced that he had referred House Joint Resolution No. 1287 to the Committee on Calendar.

**House Joint Resolution No. 1289** -- Memorials, Academic Achievement -- Jessica Lynne McCarver, Valedictorian, Bolton High School.

The Speaker announced that he had referred House Joint Resolution No. 1289 to the Committee on Calendar.

**House Joint Resolution No. 1290** -- Memorials, Academic Achievement -- Xin Huang, Valedictorian, Bartlett High School.

The Speaker announced that he had referred House Joint Resolution No. 1290 to the Committee on Calendar.

**House Joint Resolution No. 1291** -- Memorials, Academic Achievement -- Stacy Nicole Wolff, Salutatorian, Bartlett High School.

The Speaker announced that he had referred House Joint Resolution No. 1291 to the Committee on Calendar.

**House Joint Resolution No. 1292** -- Memorials, Academic Achievement -- Jared Dallas Stugell, Salutatorian, Bolton High School.

The Speaker announced that he had referred House Joint Resolution No. 1292 to the Committee on Calendar.

**House Joint Resolution No. 1293** -- Memorials, Retirement -- Pastor Larry Braxton Guin.

The Speaker announced that he had referred House Joint Resolution No. 1293 to the Committee on Calendar.

**House Joint Resolution No. 1294** -- Memorials, Interns -- Jordan Webb Vaughan.

The Speaker announced that he had referred House Joint Resolution No. 1294 to the Committee on Calendar.

**House Joint Resolution No. 1295** -- Memorials, Professional Achievement -- Bath Fitter, Robertson County Chamber of Commerce Business of the Year.

The Speaker announced that he had referred House Joint Resolution No. 1295 to the Committee on Calendar.

**House Joint Resolution No. 1296** -- Memorials, Academic Achievement -- Kyle Fletcher, 2010 Robertson County Chamber of Commerce Outstanding Senior Award.

The Speaker announced that he had referred House Joint Resolution No. 1296 to the Committee on Calendar.

**House Joint Resolution No. 1297** -- Memorials, Public Service -- Freda Herndon, 2010 Robertson County Chamber of Commerce Volunteer of the Year.

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The Speaker announced that he had referred House Joint Resolution No. 1297 to the Committee on Calendar.

**House Joint Resolution No. 1298** -- Memorials, Academic Achievement -- Cassie Barnes, 2010 Robertson County Chamber of Commerce Outstanding Senior Award.

The Speaker announced that he had referred House Joint Resolution No. 1298 to the Committee on Calendar.

**House Joint Resolution No. 1300** -- Memorials, Academic Achievement -- Jordan Hughes, 2010 Robertson County Chamber of Commerce Outstanding Senior Award.

The Speaker announced that he had referred House Joint Resolution No. 1300 to the Committee on Calendar.

**House Joint Resolution No. 1301** -- Memorials, Academic Achievement -- Taylor Odle, 2010 Robertson County Chamber of Commerce Outstanding Senior Award.

The Speaker announced that he had referred House Joint Resolution No. 1301 to the Committee on Calendar.

**House Joint Resolution No. 1302** -- Memorials, Academic Achievement -- Jack Stafford, 2010 Robertson County Chamber of Commerce Outstanding Senior Award.

The Speaker announced that he had referred House Joint Resolution No. 1302 to the Committee on Calendar.

**House Joint Resolution No. 1303** -- Memorials, Academic Achievement -- Caleb Bagwell, 2010 Robertson County Chamber of Commerce Outstanding Senior Award.

The Speaker announced that he had referred House Joint Resolution No. 1303 to the Committee on Calendar.

**House Joint Resolution No. 1304** -- Memorials, Academic Achievement -- Rebecca Morgan, 2010 Robertson County Chamber of Commerce Outstanding Senior Award.

The Speaker announced that he had referred House Joint Resolution No. 1304 to the Committee on Calendar.

**House Joint Resolution No. 1306** -- Memorials, Recognition -- Matilda "Tilda" Jenkins Webb and the late Dewey Elmer "Zack" Webb.

The Speaker announced that he had referred House Joint Resolution No. 1306 to the Committee on Calendar.

**House Joint Resolution No. 1307** -- Memorials, Personal Achievement -- Christopher Lawrence Armstrong, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 1307 to the Committee on Calendar.

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**House Joint Resolution No. 1308** -- Memorials, Academic Achievement -- Trey Arrowood, Salutatorian, East Hickman High School.

The Speaker announced that he had referred House Joint Resolution No. 1308 to the Committee on Calendar.

**House Joint Resolution No. 1309** -- Memorials, Academic Achievement -- Bethany Castleberry, Valedictorian, East Hickman High School.

The Speaker announced that he had referred House Joint Resolution No. 1309 to the Committee on Calendar.

**House Joint Resolution No. 1310** -- Memorials, Recognition -- Carl's Drive-Inn, 50th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 1310 to the Committee on Calendar.

**House Joint Resolution No. 1311** -- Memorials, Recognition -- Roane County High School Class of 1980 Reunion.

The Speaker announced that he had referred House Joint Resolution No. 1311 to the Committee on Calendar.

**House Joint Resolution No. 1312** -- Memorials, Sports -- Scotts Hill High School Lady Lions basketball team.

The Speaker announced that he had referred House Joint Resolution No. 1312 to the Committee on Calendar.

**House Joint Resolution No. 1313** -- Memorials, Recognition -- Trooper Dwayne Stanford, Jackson Exchange Club Law Enforcement Officer of the Year.

The Speaker announced that he had referred House Joint Resolution No. 1313 to the Committee on Calendar.

**House Joint Resolution No. 1314** -- Memorials, Interns -- Jude Laporte.

The Speaker announced that he had referred House Joint Resolution No. 1314 to the Committee on Calendar.

**House Joint Resolution No. 1315** -- Memorials, Recognition -- Lancaster Independence Day Parade.

The Speaker announced that he had referred House Joint Resolution No. 1315 to the Committee on Calendar.

**House Joint Resolution No. 1316** -- Memorials, Congratulations -- Trace Adkins, 2010 Medal of Honor, Sarah Polk Chapter of Daughters of the American Revolution.

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The Speaker announced that he had referred House Joint Resolution No. 1316 to the Committee on Calendar.

**House Joint Resolution No. 1317** -- Memorials, Retirement -- Wayne Sanders.

The Speaker announced that he had referred House Joint Resolution No. 1317 to the Committee on Calendar.

**House Joint Resolution No. 1319** -- Memorials, Recognition -- St. Cecilia 150th Jubilee Celebration.

The Speaker announced that he had referred House Joint Resolution No. 1319 to the Committee on Calendar.

**House Joint Resolution No. 1320** -- Memorials, Academic Achievement -- Alex Gregory, Salutatorian, Trousdale County High School.

The Speaker announced that he had referred House Joint Resolution No. 1320 to the Committee on Calendar.

**House Joint Resolution No. 1321** -- Memorials, Recognition -- Edgar R. Groves, Chancellor's Philanthropy Award.

The Speaker announced that he had referred House Joint Resolution No. 1321 to the Committee on Calendar.

**House Joint Resolution No. 1322** -- Memorials, Recognition -- First Baptist Church Joelton, 95th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 1322 to the Committee on Calendar.

**House Joint Resolution No. 1323** -- Memorials, Death -- John Thomas "Jack" Lupton.

The Speaker announced that he had referred House Joint Resolution No. 1323 to the Committee on Calendar.

**House Joint Resolution No. 1324** -- Memorials, Recognition -- Leadership Middle Tennessee, Class of 2010.

The Speaker announced that he had referred House Joint Resolution No. 1324 to the Committee on Calendar.

**House Joint Resolution No. 1325** -- Memorials, Recognition -- Leadership Robertson County, Class of 2010.

The Speaker announced that he had referred House Joint Resolution No. 1325 to the Committee on Calendar.

**House Joint Resolution No. 1326** -- Memorials, Recognition -- St Mary's School Class of 1960, 50th reunion.



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The Speaker announced that he had referred House Joint Resolution No. 1326 to the Committee on Calendar.

**House Joint Resolution No. 1327** -- Memorials, Recognition -- St. Andrew's School Class of 1960, 50th reunion.

The Speaker announced that he had referred House Joint Resolution No. 1327 to the Committee on Calendar.

**House Joint Resolution No. 1328** -- Memorials, Recognition -- Sewanee Military School, Class of 1960, 50th reunion.

The Speaker announced that he had referred House Joint Resolution No. 1328 to the Committee on Calendar.

**House Joint Resolution No. 1329** -- Memorials, Sports -- Lance Jarreld.

The Speaker announced that he had referred House Joint Resolution No. 1329 to the Committee on Calendar.

**House Joint Resolution No. 1330** -- Memorials, Interns -- Thomas Reid Witcher.

The Speaker announced that he had referred House Joint Resolution No. 1330 to the Committee on Calendar.

**House Joint Resolution No. 1331** -- Memorials, Public Service -- Mike Wissman, Tennessee PTA's Tennessee School Board Member of the Year.

The Speaker announced that he had referred House Joint Resolution No. 1331 to the Committee on Calendar.

**House Joint Resolution No. 1332** -- Memorials, Public Service -- Renee Baum, Tennessee PTA's Tennessee Teacher of the Year.

The Speaker announced that he had referred House Joint Resolution No. 1332 to the Committee on Calendar.

**Senate Joint Resolution No. 1181** -- Memorials, Recognition -- Michael Reed, John F. Kennedy Profile in Courage Essay Contest winner.

The Speaker announced that he had referred Senate Joint Resolution No. 1181 to the Committee on Calendar.

**Senate Joint Resolution No. 1182** -- Memorials, Heroism -- Bobby Qualls.

The Speaker announced that he had referred Senate Joint Resolution No. 1182 to the Committee on Calendar.

**Senate Joint Resolution No. 1183** -- Memorials, Heroism -- Steven Michael Zywicki, Sr.

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The Speaker announced that he had referred Senate Joint Resolution No. 1183 to the Committee on Calendar.

**Senate Joint Resolution No. 1184** -- Memorials, Death -- Benjamin Hooks.

The Speaker announced that he had referred Senate Joint Resolution No. 1184 to the Committee on Calendar.

**Senate Joint Resolution No. 1185** -- Memorials, Death -- Andrew J. Kozar, Sr., Ph.D.

The Speaker announced that he had referred Senate Joint Resolution No. 1185 to the Committee on Calendar.

**Senate Joint Resolution No. 1186** -- Memorials, Interns -- Maggie Hickman.

The Speaker announced that he had referred Senate Joint Resolution No. 1186 to the Committee on Calendar.

**Senate Joint Resolution No. 1187** -- Memorials, Interns -- Chris Lamb.

The Speaker announced that he had referred Senate Joint Resolution No. 1187 to the Committee on Calendar.

**Senate Joint Resolution No. 1188** -- Memorials, Death -- Samuel David Bomar.

The Speaker announced that he had referred Senate Joint Resolution No. 1188 to the Committee on Calendar.

**Senate Joint Resolution No. 1189** -- Memorials, Recognition -- Mary Frances Armstrong.

The Speaker announced that he had referred Senate Joint Resolution No. 1189 to the Committee on Calendar.

**Senate Joint Resolution No. 1190** -- Memorials, Interns -- Savannah Lea Temple.

The Speaker announced that he had referred Senate Joint Resolution No. 1190 to the Committee on Calendar.

**Senate Joint Resolution No. 1191** -- Memorials, Death -- George William Sampson.

The Speaker announced that he had referred Senate Joint Resolution No. 1191 to the Committee on Calendar.

**Senate Joint Resolution No. 1193** -- Memorials, Recognition -- Dallas R. "Dal" Jones.

The Speaker announced that he had referred Senate Joint Resolution No. 1193 to the Committee on Calendar.

**Senate Joint Resolution No. 1195** -- Memorials, Academic Achievement -- Allison Leigh Connell, Salutatorian, St. Mary's Episcopal School.

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The Speaker announced that he had referred Senate Joint Resolution No. 1195 to the Committee on Calendar.

**Senate Joint Resolution No. 1196** -- Memorials, Academic Achievement -- Caroline Watkins McCool, Valedictorian, St. Mary's Episcopal School.

The Speaker announced that he had referred Senate Joint Resolution No. 1196 to the Committee on Calendar.

**Senate Joint Resolution No. 1197** -- Memorials, Interns -- Jonathan Frank.

The Speaker announced that he had referred Senate Joint Resolution No. 1197 to the Committee on Calendar.

**Senate Resolution No. 225** -- Memorials, Personal Occasion -- John Jay Hooker, 80th birthday.

The Speaker announced that he had referred Senate Resolution No. 225 to the Committee on Calendar.

**NOTICES**

**MESSAGE FROM THE HOUSE**

May 17, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 440, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 17, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 966, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 20, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2636, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

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**MESSAGE FROM THE HOUSE**

May 20, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3222, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 20, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3317, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 17, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3843, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 17, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 764, amended and concurred in by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 20, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2465. The House refused to recede from its action in adopting House Amendment No. 1.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 20, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3034. The House refused to recede from its action in adopting House Amendment No. 2. The Speaker appointed a Conference Committee composed of Representatives Casada, Borchert and Ulysses Jones to

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confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on Senate Bill No. 3034.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 20, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1184. The House refused to recede from its action in nonconcurring in Senate Amendment No. 3. The Speaker appointed a Conference Committee composed of Representatives Ford, Lynn and Maggart to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on House Bill No. 1184.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 20, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2593. The House refused to recede from its action in nonconcurring in Senate Amendment No. 2, as amended. The Speaker appointed a Conference Committee composed of Representatives Lynn, Maggart and Mike Turner to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on House Bill No. 2593.

BURNEY T. DURHAM,  
Chief Clerk.

**APPOINTMENT OF SELECT COMMITTEE  
CONFERENCE COMMITTEE  
ON  
HOUSE BILL NO. 2593**

The Speaker announced the appointment of a Conference Committee composed of Senators Watson, Chairperson; Barnes and Johnson to confer with a like committee from the House to resolve the differences of the two Bodies on House Bill No. 2593.

**MESSAGE FROM THE HOUSE**

May 20, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 3291. The House refused to recede from its action in nonconcurring in Senate Amendment No. 1. The Speaker appointed a Conference Committee composed of Representatives Lynn, Kernell and Odom to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on House Bill No. 3291.

BURNEY T. DURHAM,  
Chief Clerk.

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**APPOINTMENT OF SELECT COMMITTEE  
CONFERENCE COMMITTEE  
ON  
HOUSE BILL NO. 3291**

The Speaker announced the appointment of a Conference Committee composed of Senators Watson, Chairperson; Barnes and Johnson to confer with a like committee from the House to resolve the differences of the two Bodies on House Bill No. 3291.

**MESSAGE FROM THE HOUSE**  
May 20, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 219. The House adopted the Conference Committee Report and made it the action of the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE GOVERNOR**  
May 18, 2010

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bill No. 3012, with his veto.

STEVEN E. ELKINS,  
Counsel to the Governor.

May 18, 2010

The Honorable Ron Ramsey  
Speaker of the Senate  
1 Legislative Plaza  
Nashville, TN 37243

RE: Senate Bill No. 3012 ("Guns in Bars")

Dear Speaker Ramsey:

I am vetoing Senate Bill No. 3012.

As I stated in the letter accompanying my veto message of a similar piece of legislation last year, I believe a basic and effective rule of gun safety is one I was first taught at a National Rifle Association-sponsored gun safety class almost fifty years ago: *"Guns and alcohol don't mix."*

I am a strong supporter of the individual right to keep and bear arms, and I hold this right sacred as both an American and a Tennessean. I am a gun owner, and I exercise my rights as a hunter and in various other shooting activities as well. I value the constitutional right that allows me to protect my home and family. In Tennessee, this fundamental right has long been exercised within common-sense, reasonable rules. These rules don't diminish our collective freedom, but instead ensure that this fundamental right is exercised in a common-sense manner that ensures the survival of the right itself.

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Until last year, Tennessee had long prohibited the possession of firearms in bars and restaurants that served alcohol. The legislation passed last year removed this protection in a manner that I, along with many law enforcement officers and innumerable private citizens, believed to be reckless and lacking in basic safeguards to public safety. A successful court challenge to last year's actions provided the General Assembly with a second opportunity to reconsider and adopt a more responsible approach to this issue. Instead, the General Assembly has essentially re-passed last year's legislation in an even more expansive and dangerous form. For this reason, I cannot sign this measure into law.

I'm well aware of the number votes this matter gathered in the General Assembly, but as you consider this veto, I again respectfully urge the legislature to rethink this issue.

Respectfully,

/s/ Phil Bredesen

**NOTICE TO OVERRIDE THE GOVERNOR'S VETO**

May 20, 2010

Mr. Russell A. Humphrey  
Chief Clerk of the Senate  
State Capitol  
Nashville, Tennessee 37243

RE: MOTION TO OVERRIDE THE GOVERNOR'S VETO OF SENATE BILL NO. 3012

Dear Mr. Clerk,

Pursuant to Rule 67 of the Rules of the Order of the Senate, I move to override the Governor's veto of Senate Bill No. 3012. I intend to move to re-pass Senate Bill No. 3012 notwithstanding the Governor's objections to the contrary, on May 26, 2010, or the next legislative day following the required notice given.

Please cause the written notice to be spread upon the Senate Journal and appropriate notice given, as may be required.

Sincerely,

/s/ Senator Doug Jackson

**CONSENT CALENDAR NO. 1**

**Senate Joint Resolution No. 1169** -- Memorials, Academic Achievement -- Samantha Elaine Wright, Valedictorian, Gordonsville High School.

**Senate Joint Resolution No. 1170** -- Memorials, Academic Achievement -- Kelsey Dillingham, Salutatorian, Gordonsville High School.

**Senate Joint Resolution No. 1171** -- Memorials, Academic Achievement -- Kariah Petrille, Salutatorian, Heritage Christian Academy.

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**Senate Joint Resolution No. 1172** -- Memorials, Academic Achievement -- Stephanie Burnette, Valedictorian, Heritage Christian Academy.

**Senate Joint Resolution No. 1173** -- Memorials, Retirement -- Howard Carlton.

**Senate Joint Resolution No. 1174** -- Memorials, Recognition -- Betty Tinker.

**Senate Joint Resolution No. 1175** -- Memorials, Academic Achievement -- Liesel Grossner, Valedictorian, Obion County Central High School.

**Senate Joint Resolution No. 1176** -- Memorials, Academic Achievement -- Matthew Roberson, Salutatorian, Obion County Central High School.

**Senate Joint Resolution No. 1177** -- Memorials, Sports -- Martin Middle School Cheerleaders, Universal Cheerleaders Association's National High School Cheerleading Championship Jr. High Champions.

**Senate Joint Resolution No. 1178** -- Memorials, Academic Achievement -- Samantha Agee, Valedictorian, Jackson County High School.

**Senate Joint Resolution No. 1179** -- Memorials, Academic Achievement -- Stewart Rich, Valedictorian, Pickett County High School.

**Senate Joint Resolution No. 1180** -- Memorials, Academic Achievement -- Fernando Rodriguez, Salutatorian, Pickett County High School.

**Senate Resolution No. 223** -- Memorials, Retirement -- Billy Garrard.

**Senate Resolution No. 224** -- Memorials, Interns -- Josh Bradley.

**House Joint Resolution No. 1224** -- Memorials, Recognition -- Sullivan North High School Naval Junior Reserve Officers Training Corps unit.

**House Joint Resolution No. 1225** -- Memorials, Retirement -- Jerry Clift.

**House Joint Resolution No. 1226** -- Memorials, Recognition -- Meigs County-Decatur Chamber of Commerce.

**House Joint Resolution No. 1227** -- Memorials, Interns -- Carey Smith.

**House Joint Resolution No. 1228** -- Memorials, Interns -- Zak Kelley.

**House Joint Resolution No. 1229** -- Memorials, Recognition -- Carl Smith.

**House Joint Resolution No. 1230** -- Memorials, Recognition -- Kenny Chesney.

**House Joint Resolution No. 1231** -- Memorials, Recognition -- Roy Acuff.

**House Joint Resolution No. 1232** -- Memorials, Recognition -- Chet Atkins.



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**House Joint Resolution No. 1233** -- Memorials, Recognition -- Lois Johnson.

**House Joint Resolution No. 1234** -- Memorials, Interns -- Daveisha Shanelle Moore.

**House Joint Resolution No. 1235** -- Memorials, Retirement -- Carl Pettes.

**House Joint Resolution No. 1236** -- Memorials, Retirement -- Thomas Rondall Myers.

**House Joint Resolution No. 1237** -- Memorials, Retirement -- Virgil Edward "Ed" Copping.

**House Joint Resolution No. 1238** -- Memorials, Academic Achievement -- Minh H. Nguyen, Valedictorian, Wooddale High School.

**House Joint Resolution No. 1239** -- Memorials, Academic Achievement -- Rayshauna Davis, Valedictorian, Oakhaven Early College High School.

**House Joint Resolution No. 1240** -- Memorials, Academic Achievement -- Pariesha K. Bee, Salutatorian, Oakhaven High School.

**House Joint Resolution No. 1241** -- Memorials, Academic Achievement -- Latoya Jackson, Salutatorian, Wooddale High School.

**House Joint Resolution No. 1242** -- Memorials, Academic Achievement -- Jonathan "Hunter" Tramel, Valedictorian, DeKalb County High School.

**House Joint Resolution No. 1243** -- Memorials, Academic Achievement -- Kirstin Wright, Top Ten, Humboldt High School.

**House Joint Resolution No. 1244** -- Memorials, Academic Achievement -- Avery Andrews, Top Ten, Humboldt High School.

**House Joint Resolution No. 1245** -- Memorials, Academic Achievement -- Immanuel Chioco, Top Ten, Humboldt High School.

**House Joint Resolution No. 1246** -- Memorials, Academic Achievement -- Stephen Charlton, Top Ten, Humboldt High School.

**House Joint Resolution No. 1247** -- Memorials, Academic Achievement -- Kali Sharp, Top Ten, Humboldt High School.

**House Joint Resolution No. 1248** -- Memorials, Academic Achievement -- Sandra Turner, Top Ten, Humboldt High School.

**House Joint Resolution No. 1249** -- Memorials, Academic Achievement -- Sara Gall, Top Ten, Humboldt High School.

**House Joint Resolution No. 1250** -- Memorials, Academic Achievement -- Jordan Plaxico, Top Ten, Humboldt High School.

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**House Joint Resolution No. 1251** -- Memorials, Academic Achievement -- Sheena McClinton, Top Ten, Humboldt High School.

**House Joint Resolution No. 1252** -- Memorials, Academic Achievement -- Meredith Atkins, Top Ten, Humboldt High School.

**House Joint Resolution No. 1254** -- Memorials, Recognition -- Greenville High School Air Force Junior Reserve Officers Training Corps unit.

**House Joint Resolution No. 1255** -- Memorials, Personal Occasion -- John and Janie Ellis, 50th wedding anniversary.

**House Joint Resolution No. 1256** -- Memorials, Retirement -- Brenda Marie Page, Clerk and Master 18th Judicial District.

**House Joint Resolution No. 1258** -- Memorials, Academic Achievement -- Tammy Tu, Salutatorian, Cookeville High School.

**House Joint Resolution No. 1259** -- Memorials, Academic Achievement -- Andrew Moss, Valedictorian, Cookeville High School.

**House Joint Resolution No. 1265** -- Memorials, Interns -- Dan Frost.

**House Joint Resolution No. 1266** -- Memorials, Retirement -- Robert Dedman, Wilson County Mayor.

**House Joint Resolution No. 1267** -- Memorials, Interns -- Brooke Baird.

**House Joint Resolution No. 1269** -- Memorials, Personal Occasion -- Alice Walker Litz, 85th birthday.

**House Joint Resolution No. 1270** -- Memorials, Personal Occasion -- Gladys Parker Litz, 90th birthday.

Senator Faulk moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes .....	33
Noes .....	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

**CONSENT CALENDAR NO. 2**

**Senate Bill No. 2702** -- Municipal Government -- As introduced, authorizes the board of mayor and aldermen of the City of Farragut to adopt an ordinance to establish term limits, to become operative only if approved in a referendum. Amends TCA Title 6, Chapter 3.

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On motion, Senate Bill No. 2702 was made to conform with **House Bill No. 2866**.

On motion, House Bill No. 2866, on same subject, was substituted for Senate Bill No. 2702.

**Senate Bill No. 3330** -- Beer -- As introduced, authorizes a local government to seek criminal background checks with the TBI or FBI for applicants for beer permits. Amends TCA Section 57-5-103.

On motion, Senate Bill No. 3330 was made to conform with **House Bill No. 3355**.

On motion, House Bill No. 3355, on same subject, was substituted for Senate Bill No. 3330.

**Senate Resolution No. 216** -- General Assembly, Statement of Intent or Position -- Expresses support of a world-class public education system for Tennessee and expectations that teachers, parents, and students must all pursue excellence to achieve that goal.

**Senate Joint Resolution No. 931** -- Highway Signs -- "Dr. Andy Holt Highway", U.S. Highway 70A/79 between Humboldt and Milan in Gibson County.

**Senate Joint Resolution No. 1061** -- Naming and Designating -- "Drinking Water Week", May 2-8, 2010.

**Senate Joint Resolution No. 1073** -- Memorials, Government Officials -- Supports the National Day of Prayer; urges President Obama to issue National Day of Prayer proclamation.

**Senate Joint Resolution No. 1093** -- Memorials, Recognition -- Johnson City Country Club, National Register of Historic Places.

**House Joint Resolution No. 708** -- Naming and Designating -- "American Indian Heritage Month", September 2010.

**House Joint Resolution No. 744** -- General Assembly, Statement of Intent or Position -- Expresses Tennessee's continued support for the State of Israel.

**House Joint Resolution No. 769** -- Highway Signs -- "The Impressions Highway", segment of I-24 in Hamilton County.

**House Joint Resolution No. 781** -- General Assembly, Directed Studies -- Directs the Department of Education to study student access to optional schools operated by local school districts and the establishment of optional programs in every school.

**House Joint Resolution No. 786** -- Naming and Designating -- Campbell County, "Elk Capital of Tennessee".

**House Joint Resolution No. 796** -- Highway Signs -- "Pat Fergusson Memorial Highway", segment of State Route 141 in Trousdale County.

**House Joint Resolution No. 807** -- Highway Signs -- "Frank Davidson Memorial Bridge", U.S. Highway 64 in Wayne County.

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**House Joint Resolution No. 890** -- Memorials, Congress -- Urges restoration of presumption of service connection for Agent Orange exposure to U.S. Navy and Air Force veterans who served on inland waterways, territorial waters, and in airspace of Republic of Vietnam and in Thailand, Laos, and Cambodia through passage of Agent Orange Equity Act.

**House Joint Resolution No. 959** -- General Assembly, Statement of Intent or Position -- Requires TBR and UT institutions to accommodate non-traditional students seeking to complete degrees by accepting completed coursework and credits to the extent consistent with the school's academic standards.

**House Joint Resolution No. 974** -- General Assembly, Statement of Intent or Position -- Expresses support of efforts to add instruction and degree offerings in the allied health field of dispensing opticianry at Southwest Tennessee Community College.

**House Joint Resolution No. 1074** -- Naming and Designating -- "Faith Day on the Hill", April 26, 2010.

**House Joint Resolution No. 1078** -- Naming and Designating -- September 2010, "Chiari Awareness Month".

**House Joint Resolution No. 1161** -- Naming and Designating -- "National Nursing Home Week", May 9-15, 2010.

**House Joint Resolution No. 1191** -- Memorials, Government Officials -- Supports the National Day of Prayer; encourages Tennesseans to observe such day; encourages Department of Justice to appeal federal district court decision ruling National Day of Prayer unconstitutional.

**House Joint Resolution No. 1222** -- Naming and Designating -- "National Peace Officers Memorial Day", May 12, 2010.

Senator Faulk moved that all Senate Joint Resolutions and Senate Resolutions be adopted; all House Joint Resolutions be concurred in; and all House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	33
Noes .....	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR # 3**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, May 24, 2010: House Joint Resolutions Nos. 759, 843, 1218, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1300, 1301, 1302, 1303,

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1304, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331 and 1332; Senate Joint Resolutions Nos. 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1193, 1195, 1196, 1197, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1216, 1217 and 1218; and Senate Resolution No. 226.

This the 21st day of May, 2010.  
MIKE FAULK, Chairperson.

**MOTION**

Senator Faulk moved that Rule 19 and Rule 38 be suspended for the purpose of considering Consent Calendar No. 3 next, which motion prevailed.

**CONSENT CALENDAR NO. 3**

Objections having been raised, the following resolutions were placed at the heel of the calendar for Thursday, May 27, 2010, pursuant to Rule 38: **Senate Joint Resolutions Nos. 1182, 1183 and 1197.**

**House Joint Resolution No. 759** -- Memorials, Public Service -- Congressman John Tanner.

**House Joint Resolution No. 843** -- Memorials, Death -- Don Spain.

**House Joint Resolution No. 1218** -- Memorials, Death -- Representative Larry Turner.

**House Joint Resolution No. 1272** -- Memorials, Retirement -- Sgt. Mike Weathers.

**House Joint Resolution No. 1273** -- Memorials, Professional Achievement -- Grady Williams, Top Manager for 2010.

**House Joint Resolution No. 1274** -- Memorials, Professional Achievement -- Sandy Adams, 2010 Tennessee Academy of Science Outstanding Teacher.

**House Joint Resolution No. 1275** -- Memorials, Recognition -- Dr. Shannon Grooms, named one of Tennessee's top principals by the Education Consumers Foundation.

**House Joint Resolution No. 1276** -- Memorials, Recognition -- Shawna McAdams, East Robertson High School, Youth Leadership Robertson County Class of 2010.

**House Joint Resolution No. 1277** -- Memorials, Recognition -- Katelyn Templeton, Greenbrier High School, Youth Leadership Robertson County Class of 2010.

**House Joint Resolution No. 1278** -- Memorials, Recognition -- Tyler West, Greenbrier High School, Youth Leadership Robertson County Class of 2010.

**House Joint Resolution No. 1279** -- Memorials, Recognition -- Zachary Ragland, Heritage High School, Youth Leadership Robertson County Class of 2010.

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**House Joint Resolution No. 1280** -- Memorials, Recognition -- Forest Shoults, Youth Leadership Robertson County Class of 2010.

**House Joint Resolution No. 1281** -- Memorials, Recognition -- Abner Herndon, Jo Byrns High School, Youth Leadership Robertson County Class of 2010.

**House Joint Resolution No. 1282** -- Memorials, Recognition -- Kelsi Brown, White House Heritage High School, Youth Leadership Robertson County Class of 2010.

**House Joint Resolution No. 1283** -- Memorials, Recognition -- Stacey Copeland, Jo Byrns High School, Youth Leadership Robertson County Class of 2010.

**House Joint Resolution No. 1284** -- Memorials, Recognition -- Katie Beth Hayes, Springfield High School, Youth Leadership Robertson County Class of 2010.

**House Joint Resolution No. 1285** -- Memorials, Recognition -- Steven Palmer, Springfield High School, Youth Leadership Robertson County Class of 2010.

**House Joint Resolution No. 1286** -- Memorials, Recognition -- Katie Spears, Youth Leadership Robertson County Class of 2010.

**House Joint Resolution No. 1287** -- Memorials, Recognition -- Jared Leftrick, Springfield High School, Youth Leadership Robertson County Class of 2010.

**House Joint Resolution No. 1289** -- Memorials, Academic Achievement -- Jessica Lynne McCarver, Valedictorian, Bolton High School.

**House Joint Resolution No. 1290** -- Memorials, Academic Achievement -- Xin Huang, Valedictorian, Bartlett High School.

**House Joint Resolution No. 1291** -- Memorials, Academic Achievement -- Stacy Nicole Wolff, Salutatorian, Bartlett High School.

**House Joint Resolution No. 1292** -- Memorials, Academic Achievement -- Jared Dallas Stugell, Salutatorian, Bolton High School.

**House Joint Resolution No. 1293** -- Memorials, Retirement -- Pastor Larry Braxton Guin.

**House Joint Resolution No. 1294** -- Memorials, Interns -- Jordan Webb Vaughan.

**House Joint Resolution No. 1295** -- Memorials, Professional Achievement -- Bath Fitter, Robertson County Chamber of Commerce Business of the Year.

**House Joint Resolution No. 1296** -- Memorials, Academic Achievement -- Kyle Fletcher, 2010 Robertson County Chamber of Commerce Outstanding Senior Award.

**House Joint Resolution No. 1297** -- Memorials, Public Service -- Freda Herndon, 2010 Robertson County Chamber of Commerce Volunteer of the Year.

**House Joint Resolution No. 1298** -- Memorials, Academic Achievement -- Cassie Barnes, 2010 Robertson County Chamber of Commerce Outstanding Senior Award.

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**House Joint Resolution No. 1300** -- Memorials, Academic Achievement -- Jordan Hughes, 2010 Robertson County Chamber of Commerce Outstanding Senior Award.

**House Joint Resolution No. 1301** -- Memorials, Academic Achievement -- Taylor Odle, 2010 Robertson County Chamber of Commerce Outstanding Senior Award.

**House Joint Resolution No. 1302** -- Memorials, Academic Achievement -- Jack Stafford, 2010 Robertson County Chamber of Commerce Outstanding Senior Award.

**House Joint Resolution No. 1303** -- Memorials, Academic Achievement -- Caleb Bagwell, 2010 Robertson County Chamber of Commerce Outstanding Senior Award.

**House Joint Resolution No. 1304** -- Memorials, Academic Achievement -- Rebecca Morgan, 2010 Robertson County Chamber of Commerce Outstanding Senior Award.

**House Joint Resolution No. 1306** -- Memorials, Recognition -- Matilda "Tilda" Jenkins Webb and the late Dewey Elmer "Zack" Webb.

**House Joint Resolution No. 1307** -- Memorials, Personal Achievement -- Christopher Lawrence Armstrong, Eagle Scout.

**House Joint Resolution No. 1308** -- Memorials, Academic Achievement -- Trey Arrowood, Salutatorian, East Hickman High School.

**House Joint Resolution No. 1309** -- Memorials, Academic Achievement -- Bethany Castleberry, Valedictorian, East Hickman High School.

**House Joint Resolution No. 1310** -- Memorials, Recognition -- Carl's Drive-Inn, 50th anniversary.

**House Joint Resolution No. 1311** -- Memorials, Recognition -- Roane County High School Class of 1980 reunion.

**House Joint Resolution No. 1312** -- Memorials, Sports -- Scotts Hill High School Lady Lions basketball team.

**House Joint Resolution No. 1313** -- Memorials, Recognition -- Trooper Dwayne Stanford, Jackson Exchange Club Law Enforcement Officer of the Year.

**House Joint Resolution No. 1314** -- Memorials, Interns -- Jude Laporte.

**House Joint Resolution No. 1315** -- Memorials, Recognition -- Lancaster Independence Day Parade.

**House Joint Resolution No. 1316** -- Memorials, Congratulations -- Trace Adkins, 2010 Medal of Honor, Sarah Polk Chapter of Daughters of the American Revolution.

**House Joint Resolution No. 1317** -- Memorials, Retirement -- Wayne Sanders.

**House Joint Resolution No. 1319** -- Memorials, Recognition -- St. Cecilia 150th Jubilee Celebration.

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**House Joint Resolution No. 1320** -- Memorials, Academic Achievement -- Alex Gregory, Salutatorian, Trousdale County High School.

**House Joint Resolution No. 1321** -- Memorials, Recognition -- Edgar R. Groves, Chancellor's Philanthropy Award.

**House Joint Resolution No. 1322** -- Memorials, Recognition -- First Baptist Church Joelton, 95th anniversary.

**House Joint Resolution No. 1323** -- Memorials, Death -- John Thomas "Jack" Lupton.

**House Joint Resolution No. 1324** -- Memorials, Recognition -- Leadership Middle Tennessee, Class of 2010.

**House Joint Resolution No. 1325** -- Memorials, Recognition -- Leadership Robertson County, Class of 2010.

**House Joint Resolution No. 1326** -- Memorials, Recognition -- St. Mary's School, Class of 1960, 50th reunion.

**House Joint Resolution No. 1327** -- Memorials, Recognition -- St. Andrew's School, Class of 1960, 50th reunion.

**House Joint Resolution No. 1328** -- Memorials, Recognition -- Sewanee Military School, Class of 1960, 50th reunion.

**House Joint Resolution No. 1329** -- Memorials, Sports -- Lance Jarreld.

**House Joint Resolution No. 1330** -- Memorials, Interns -- Thomas Reid Witcher.

**House Joint Resolution No. 1331** -- Memorials, Public Service -- Mike Wissman, Tennessee PTA's Tennessee School Board Member of the Year.

**House Joint Resolution No. 1332** -- Memorials, Public Service -- Renee Baum, Tennessee PTA's Tennessee Teacher of the Year.

**Senate Joint Resolution No. 1181** -- Memorials, Recognition -- Michael Reed, John F. Kennedy Profile in Courage Essay Contest winner.

**Senate Joint Resolution No. 1184** -- Memorials, Death -- Benjamin Hooks.

**Senate Joint Resolution No. 1185** -- Memorials, Death -- Andrew J. Kozar, Sr., Ph.D.

**Senate Joint Resolution No. 1186** -- Memorials, Interns -- Maggie Hickman.

**Senate Joint Resolution No. 1187** -- Memorials, Interns -- Chris Lamb.

**Senate Joint Resolution No. 1188** -- Memorials, Death -- Samuel David Bomar.

**Senate Joint Resolution No. 1189** -- Memorials, Recognition -- Mary Frances Armstrong.



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**Senate Joint Resolution No. 1190** -- Memorials, Interns -- Savannah Lea Temple.

**Senate Joint Resolution No. 1191** -- Memorials, Death -- George William Sampson.

**Senate Joint Resolution No. 1193** -- Memorials, Recognition -- Dallas R. "Dal" Jones.

**Senate Joint Resolution No. 1195** -- Memorials, Academic Achievement -- Allison Leigh Connell, Salutatorian, St. Mary's Episcopal School.

**Senate Joint Resolution No. 1196** -- Memorials, Academic Achievement -- Caroline Watkins McCool, Valedictorian, St. Mary's Episcopal School.

**Senate Joint Resolution No. 1199** -- Memorials, Academic Achievement -- Mason Hensley, Salutatorian, Jackson County High School.

**Senate Joint Resolution No. 1200** -- Memorials, Retirement -- Linda Johnson.

**Senate Joint Resolution No. 1201** -- Memorials, Retirement -- Eddie Hobbs.

**Senate Joint Resolution No. 1202** -- Memorials, Retirement -- Archeen Rush Larry.

**Senate Joint Resolution No. 1203** -- Memorials, Retirement -- Teresa Knowles.

**Senate Joint Resolution No. 1204** -- Memorials, Retirement -- Joseph Dawson.

**Senate Joint Resolution No. 1205** -- Memorials, Interns -- Kara Kristine Anderson.

**Senate Joint Resolution No. 1206** -- Memorials, Retirement -- Pat Swallows.

**Senate Joint Resolution No. 1207** -- Memorials, Recognition -- Jonathan P. Goodwin.

**Senate Joint Resolution No. 1208** -- Memorials, Retirement -- Isaac Brown.

**Senate Joint Resolution No. 1209** -- Memorials, Public Service -- Nadean Cunningham.

**Senate Joint Resolution No. 1210** -- Memorials, Retirement -- Frederick H. Forster.

**Senate Joint Resolution No. 1211** -- Memorials, Academic Achievement -- William Taylor, Salutatorian, Memphis University School.

**Senate Joint Resolution No. 1212** -- Memorials, Academic Achievement -- Andrew Chinn, Valedictorian, Memphis University School.

**Senate Joint Resolution No. 1213** -- Memorials, Recognition -- Becky Hill.

**Senate Joint Resolution No. 1214** -- Memorials, Death -- Kathryn Marjorie Crowell Michener.

**Senate Joint Resolution No. 1216** -- Memorials, Personal Achievement -- Ferlin Husky, Country Music Hall of Fame.

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**Senate Joint Resolution No. 1217** -- Memorials, Retirement -- Roger Jolley.

**Senate Joint Resolution No. 1218** -- Memorials, Retirement -- Janie Moore.

**Senate Resolution No. 226** -- Memorials, Interns -- Jason Parker.

Senator Faulk moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

**MOTION**

Senator Faulk moved that Rule 19 be suspended for the purpose of considering Message Calendars Nos. 1 and 2 next, out of order, which motion prevailed.

**MESSAGE CALENDAR NO. 1**

Senator Faulk moved that **Senate Bill No. 2488** be placed on the Message Calendar for Thursday, May 27, 2010, which motion prevailed.

Senator Faulk moved that **Senate Bill No. 3489** be placed on the Message Calendar for Thursday, May 27, 2010, which motion prevailed.

**SENATE BILL ON HOUSE AMENDMENT**

**Senate Bill No. 2638** -- Traffic Safety -- As introduced, allows counties to regulate parking on roadways solely under their jurisdiction by resolution. Amends TCA Title 55, Chapter 8.

**HOUSE AMENDMENT NO. 3**

AMEND by adding the following language as a new section to precede the effective date section:

SECTION \_\_. Tennessee Code Annotated, Section 55-8-161, is amended by deleting subsection (b) in its entirety and by substituting instead the following language:

(b)(1) Local authorities may by ordinance permit parking of vehicles with the left-hand wheels adjacent to and within eighteen inches (18") of the left-hand curb of a one-way roadway.

(2) Local authorities in any county having a metropolitan form of government with a population of more than five hundred thousand (500,000) according to the 2000 federal census or any subsequent federal census, upon

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determining that such parking would not interfere with the free movement of traffic nor cause an undue safety hazard, may by ordinance permit parking of vehicles with the left-hand wheels adjacent to and within eighteen inches (18") of the left-hand curb of a roadway.

Senator Black moved that the Senate concur in House Amendment No. 3 to **Senate Bill No. 2638**, which motion prevailed by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senator Norris moved that **Senate Bill No. 2943** be rereferred to the Committee on Calendar, which motion prevailed.

**SENATE BILL ON HOUSE AMENDMENT**

**Senate Bill No. 3602** -- Boards and Commissions -- As introduced, creates position of executive director within the Commission on Firefighting Personnel Standards and Education; specifies areas of expertise from which members of the commission are to be appointed. Amends TCA Section 4-24-104.

Senator Ketron moved that the Senate refuse to recede from its action in nonconcurring in House Amendment No. 1 to **Senate Bill No. 3602**, which motion prevailed.

Senator Ketron moved that the Speaker appoint a Conference Committee to meet with a like committee from the House to resolve the differences between the two Bodies on **Senate Bill No. 3602**, which motion prevailed.

**APPOINTMENT OF SELECT COMMITTEE  
CONFERENCE COMMITTEE  
ON  
SENATE BILL NO. 3602**

The Speaker announced the appointment of a Conference Committee composed of Senators Ketron, Chairperson; Faulk and Finney to confer with a like committee from the House to resolve the differences of the two Bodies on Senate Bill No. 3602.

Senator Beavers moved that **House Bill No. 2492** be placed on the Message Calendar for Thursday, May 27, 2010, which motion prevailed.

**HOUSE BILL ON SENATE AMENDMENT**

**House Bill No. 3376** -- Criminal Offenses -- As introduced, creates the crime of harboring a runaway. Amends TCA Title 39, Chapter 15, Part 4.

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Senator Stewart moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 1 to **House Bill No. 3376**, which motion prevailed.

Senator Stewart moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 2 to **House Bill No. 3376**, which motion prevailed.

### HOUSE BILL ON SENATE AMENDMENT

**House Bill No. 3753** -- Child Abuse -- As introduced, encourages public transportation buses to promote a parental help line run by Prevent Child Abuse Tennessee; requires schools and child care facilities to distribute information on such help line. Amends TCA Title 37, Chapter 10.

Senator Henry moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 1 to **House Bill No. 3753**, which motion prevailed.

### REPORT OF COMMITTEE ON CALENDAR SENATE MESSAGE CALENDAR # 2

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Monday, May 24, 2010: Senate Bills Nos. 440, 966, 2465, 2636, 3222, 3317 and 3843; and Senate Joint Resolution No. 764.

This the 21st day of May, 2010.  
MIKE FAULK, Chairperson.

### MESSAGE CALENDAR NO. 2

Senator Overbey moved that **Senate Bill No. 440** be placed on the Message Calendar for Thursday, May 27, 2010, which motion prevailed.

### SENATE BILL ON HOUSE AMENDMENT

**Senate Bill No. 966** -- Driver Licenses -- As introduced, extends from 10 days to two calendar weeks time period within which Department of Safety must notify licensing state and commercial driver license information system that commercial driver has violated traffic law; increases from 10 days to two weeks time in which clerk must notify Department of Conviction of commercial driver violating traffic law. Amends TCA Title 54 and Title 55.

### HOUSE AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-50-501, is amended by deleting in subdivision (a)(1) the language "or vehicular homicide" in its entirety.

SECTION 2. Tennessee Code Annotated, Section 55-50-501, is further amended by adding the following language to the end of the present language, before the punctuation ";", in subdivision (a)(1):

. In the case of a conviction for vehicular homicide, the department shall revoke the license for the period of time the court prohibited the person from driving a vehicle pursuant to § 39-13-213(c)

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SECTION 3. This act applies to any person who commits the offense of vehicular homicide on or after July 1, 2010. This act shall also apply to any person committing the offense of vehicular homicide prior to July 1, 2010, upon the person presenting proof satisfactory to the Department of Safety that the period of time the person was prohibited from driving by the court has expired.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Jackson moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 966**, which motion prevailed by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

**SENATE BILL ON HOUSE AMENDMENT**

**Senate Bill No. 2465** -- Sunset Laws -- As introduced, extends alcoholic beverage commission, June 30, 2010. Amends TCA Title 4, Chapter 29 and Title 57, Chapter 1.

Senator Watson moved that the Senate refuse to recede from its action in nonconcurring in House Amendment No. 1 to **Senate Bill No. 2465**, which motion prevailed.

Senator Watson moved that the Speaker appoint a Conference Committee to meet with a like committee from the House to resolve the differences between the two Bodies on **Senate Bill No. 2465**, which motion prevailed.

**APPOINTMENT OF SELECT COMMITTEE  
CONFERENCE COMMITTEE  
ON  
SENATE BILL NO. 2465**

The Speaker announced the appointment of a Conference Committee composed of Senators Watson, Chairperson; Barnes and Johnson to confer with a like committee from the House to resolve the differences of the two Bodies on Senate Bill No. 2465.

**SENATE BILL ON HOUSE AMENDMENT**

**Senate Bill No. 2636** -- Judges and Chancellors -- As introduced, exempts judicial commissioners appointed in Robertson County from continuing education requirements for judicial commissioners. Amends TCA Section 40-1-111.

**HOUSE AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-1-111, is amended by adding the following new subdivision (6) to subsection (f):

(f) Notwithstanding the provisions of this subsection, in any county in which the judicial commissioner is selected by the general sessions judge or judges, the county legislative body of such county may elect, by a two-thirds (2/3) majority, to allow each judicial commissioner to receive twelve (12) hours of appropriate continuing education each calendar year under the supervision of the appointing general sessions judge or judges rather than the Judicial Commissioners Association of Tennessee or the Tennessee Court Clerks Association.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Black moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 2636**, which motion prevailed by the following vote:

Ayes .....	31
Noes .....	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Harper, Haynes, Henry, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

**HOUSE AMENDMENT NO. 2**

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 40-1-111, is amended by adding the following language as a new subsection:

(g) Judicial commissioners duly appointed pursuant to this section in any county with a population not less than two hundred seventy-six thousand (276,000) nor more than two hundred seventy-seven thousand (277,000), according to the 1970 federal census or any subsequent federal census, shall be known as "magistrates".

Senator Black moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 2636**, which motion prevailed by the following vote:

Ayes .....	31
Noes .....	0

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Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Harper, Haynes, Henry, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

### SENATE BILL ON HOUSE AMENDMENT

**Senate Bill No. 3222** -- Driver Licenses -- As introduced, requires circuit court and criminal court clerks to establish driver license recovery plan for certain persons with suspended driver licenses. Amends TCA Title 55, Chapter 12, Part 1 and Title 55, Chapter 50, Part 5.

### HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 55-50-502, is amended by adding the following language as a new subsection:

(l)(1) The provisions of this subsection (l) shall apply only in any county having a metropolitan form of government with a population of more than five hundred thousand (500,000) according to the 2000 federal census or any subsequent federal census.

(2) A person whose license has been suspended, pursuant to subdivision (a)(1)(H) or (a)(1)(I), may apply to the circuit court clerk or criminal court clerk of each county, as appropriate, to allow for payment of any outstanding judgment resulting from failure to pay state or county fines or costs, older than five (5) years after the date of disposition, at a reduced rate of fifty percent (50%). The circuit court clerk or criminal court clerk, as appropriate, shall allow such person to pay such outstanding judgment, in a single payment, at a reduced rate of fifty percent (50%) during the first six (6) fiscal months of the year.

(3) Notwithstanding any law to the contrary, the amount of any outstanding judgment or other fine or cost that is waived pursuant to subdivision (l)(2) shall be allocated to be borne by all entities otherwise entitled to such fees or costs pro rata in the same proportion such fee or cost would otherwise be distributed.

(4) The department is authorized to reinstate a person's driving privileges when the person provides the department with certification from the circuit court clerk or criminal court clerk of any county that the person has paid pursuant to this subsection (l) and has satisfied all other laws relating to the issuance and restoration of a driver's license.

(5) This subsection (l) shall be repealed on June 30, 2012, unless extended by the general assembly prior to such time.

SECTION 2. Tennessee Code Annotated, Section 55-50-502(d)(2), is amended by adding the following language to the end of the present language:

Notwithstanding Section 55-50-303(b)(2), the fines and costs for a conviction of driving while suspended, when the conviction was a result of a suspension pursuant to subdivision (a)(1)(H) or (a)(1)(I), may be included in such payment plan, subject to the approval of the court.

SECTION 3. This act shall take effect July 1, 2010, the public welfare requiring it.

Senator Harper moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 3222**, which motion prevailed by the following vote:

Ayes . . . . .	32
Noes . . . . .	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

### HOUSE AMENDMENT NO. 3

AMEND by adding the following language at the end of subsection (I) as a new subdivision:

(6) This subsection (I) shall not apply to fines or costs derived from any violation that requires mandatory revocation of a person's driver license, including, but not limited to, any of the following offenses:

- (A) Driving under the influence in violation of § 55-10-401;
- (B) Aggravated vehicular homicide in violation of § 39-13-218;
- (C) Commercial driver license/commercial motor vehicle – out of service order in violation of § 55-50-405(a)(7) or (8);
- (D) Commercial driver license/commercial motor vehicle – unattended vehicle in violation of § 55-8-162(b)(1);
- (E) Commercial driver license – manufacture, distribution, or dispensing of a controlled substance, or possession with intent to distribute in violation of § 55-50-405(a)(4);
- (F) Drag racing in violation of Title 55, Chapter 10, Part 5;
- (G) Driving after conviction as habitual offender in violation of § 55-10-616;
- (H) Driving on revoked/suspended driver license in violation of § 55-50-504;
- (I) Felony by motor vehicle in violation of § 55-50-501(a)(3);



- (J) Fleeing law enforcement officer by vehicle in violation of § 39-16-603(b);
- (K) Underage driving while impaired in violation of § 55-10-415;
- (L) Leaving the scene of an accident in violation of § 55-10-101 or § 55-50-405(a);
- (M) Reckless endangerment by vehicle in violation of § 39-13-103(b);
- (N) Theft of a motor vehicle or part thereof in violation of § 55-50-501(c);
- (O) Unlawful use of a driver license in violation of § 55-50-502(a)(1)(F);
- (P) Vehicular assault in violation of § 39-13-106;
- (Q) Vehicular homicide in violation of § 39-13-213; or
- (R) Violation resulting in another's death in violation of § 55-8-197 or § 55-50-502(a)(1)(B).

Senator Harper moved that the Senate concur in House Amendment No. 3 to **Senate Bill No. 3222**, which motion prevailed by the following vote:

Ayes .....	31
Noes .....	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Harper, Haynes, Henry, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

### SENATE BILL ON HOUSE AMENDMENT

**Senate Bill No. 3317** -- Sheriffs -- As introduced, requires counties that, prior to the effective date of this act, have not already created a civil service board for employees of the sheriff's department to create such a board by October 1, 2010. Amends TCA Title 8, Chapter 8.

### HOUSE AMENDMENT NO. 3

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-8-419, is amended by deleting subsection (a) in its entirety and by substituting instead the following language:

(a)(1) No person holding a position in the classified service shall take an active part in any political campaign while on duty.

(2)(A) No employee of the sheriff's department shall solicit money for political campaigns; provided that such restriction shall not prohibit an employee, including a deputy sheriff, who is running for an elected

office from soliciting and accepting campaign contributions for such person's own election campaign if the person is not on duty or in uniform when such activities occur.

(B) No employee of the sheriff's office shall make any public endorsement of any candidate in any campaign for elected office; provided that, if an employee or deputy sheriff is running for an elected office then such restriction shall not apply to that employee or deputy sheriff's own campaign.

(3) A deputy sheriff shall not use such position to reflect the deputy sheriff's personal political feelings as those of the sheriff's department or to exert any pressure on anyone to influence that person's political views.

(4) No employee while on duty, nor any officer while in uniform, shall display any political advertising or paraphernalia on such person's body or automobile.

SECTION 2. Tennessee Code Annotated, Section 8-8-402, is amended by designating the existing language as subsection (a), by deleting the language "This part" and by substituting instead the language "Except as provided in subsection (b), this part"; and by adding the following language to be designated as subsection (b):

(b) On or after the effective date of this act, § 8-8-419(a)(2) shall apply in any particular county which has adopted or which after the effective date of this act makes this part applicable to such county, and shall also apply in any other county, notwithstanding any private act, resolution, personnel policy or charter provision to the contrary, which has adopted or which adopts a sheriff's civil service law.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Kelsey moved that the Senate concur in House Amendment No. 3 to **Senate Bill No. 3317**, which motion prevailed by the following vote:

Ayes .....	26
Noes .....	6

Senators voting aye were: Beavers, Black, Bunch, Burchett, Burks, Crowe, Faulk, Ford, Gresham, Haynes, Henry, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Southerland, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--26.

Senators voting no were: Barnes, Berke, Finney, Harper, Kyle and Stewart--6.

A motion to reconsider was tabled.

#### SENATE BILL ON HOUSE AMENDMENT

**Senate Bill No. 3843** -- Insurance Companies, Agents, Brokers, Policies -- As introduced, specifies that an insurer whose license is revoked or suspended for certain violations will not be considered an unauthorized insurer for policies written while the company was operating with a

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certificate of authority that was neither revoked nor suspended; increases from \$1,000 to \$10,000 the maximum authorized penalty imposed against persons regulated by the division of regulatory boards for certain violations. Amends TCA Title 56.

Senator Ford declared Rule 13 on **Senate Bill No. 3843**.

**HOUSE AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 56-7-120(a)(1), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(a)(1) Notwithstanding any law, rule, or regulation to the contrary, whenever any policy of insurance issued in this state provides for coverage of health care rendered by a provider covered under Title 63, the insured or other persons entitled to benefits under the policy shall be entitled to assign these benefits to the healthcare provider and such rights must be stated clearly in the policy. Notice of the assignment must be in writing to the insurer in order to be effective; provided, however, such notice can be provided by other means if it is so stated in the policy.

SECTION 2. Tennessee Code Annotated, Section 56-7-120, is amended by adding the following language as a new subsection (c):

(c)(1) For purposes of this subsection:

(A) "Participating healthcare facility" means a healthcare facility that has a current contract provider agreement with the insured's insurer; and

(B) "Non-participating facility-based physician" means a physician:

(i) To whom a participating healthcare facility has granted clinical privileges;

(ii) Who provides services to patients of the participating healthcare facility pursuant to those clinical privileges; and

(iii) Who does not have a current contract provider agreement with the insured's insurer.

(2) An insured's assignment of benefits, pursuant to subsection (a), may be disregarded by an insurer if:

(A) The assignment of benefits is to a non-participating facility-based physician; and

(B) All of the following conditions are not satisfied:

(i)(a) The healthcare facility provides written notice to the insured that informs the insured that:

(1) The non-participating facility-based physician shall not have a current contract provider agreement with the insured's insurer; and

(2) The insured shall receive a bill for medical services from the non-participating facility-based physician for the amount unpaid by the insured's insurer;

(b) The notice required by subdivision (c)(2)(B)(i)(a) shall be provided to the insured, or the insured's personal representative, prior to when the insured first receives services from the non-participating facility-based physician. In circumstances where the insured is receiving medical services through a hospital emergency department or is incapacitated or unconscious at the time of receiving such services, the notice will not be required. The failure of the healthcare facility to provide the notice required by subdivision (c)(2)(B)(i)(a) shall not give rise to any right of indemnification or private cause of action against the healthcare facility by any non-participating facility-based physician for an insurer's disregard of an insured's assignment of benefits unless the healthcare facility's failure to provide such notice is due to willful or wanton misconduct of an agent of the healthcare facility; and

(ii) The non-participating facility-based physician provides the insured a billing statement that:

(a) Contains an itemized listing of the services and supplies provided along with the dates when the services and supplies were provided;

(b) Contains a conspicuous, plain language explanation that:

(1) The non-participating facility-based physician does not have a current contract provider agreement with the insured's insurer; and

(2) The insurer has paid a rate, as determined by the insurer, that is below the non-participating facility-based physician's billed amount;

(c) Contains a telephone number to call to discuss the billing statement, provide an explanation of any acronyms, abbreviations, and numbers used on the statement, or discuss any payment issues;

(d) Contains a statement that the insured may call to discuss alternative payment arrangements; and

(e) For billing statements that total an amount greater than two hundred dollars (\$200), over any applicable copayments, coinsurance or deductibles, states, in plain language, that if the insured finalizes a payment plan agreement within forty-five (45) days of receiving the first billing statement and substantially complies with the agreement, the non-participating facility-based physician shall not furnish adverse information to a consumer reporting agency regarding an amount owed by the insured. For purposes of this subdivision (c)(2)(B)(ii)(e), a patient shall be considered out of substantial compliance with the payment plan agreement if the payments are not made in compliance with the agreement for a period of forty-five (45) days.

(3) Nothing in this subsection (c) shall apply to accident-only, specified disease, hospital indemnity, Medicare supplement, long-term care or other limited benefit hospital insurance policies.

SECTION 3. Tennessee Code Annotated, Section 56-32-126(b)(6), is amended by adding the language "or durable medical equipment" immediately after the language "mental health benefits".

SECTION 4. This act shall take effect upon becoming law, the public welfare requiring it.

Senator Kyle moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 3843**, which motion prevailed by the following vote:

Ayes . . . . .	32
Noes . . . . .	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

#### SENATE JOINT RESOLUTION ON HOUSE AMENDMENT

**Senate Joint Resolution No. 764** -- Memorials, Death -- Lt. Governor John S. Wilder.

HOUSE AMENDMENT NO. 1

AMEND by deleting the following language from the resolution:

BE IT FURTHER RESOLVED, that the provisions of this resolution naming a segment of Interstate 40 shall become operative only if the cost of the manufacture and installation of such signs is paid to the Department of Transportation from non-state funds within one (1) year of the effective date of this act. Such payment shall be made prior to any expenditure by the state for the manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to the person or entity paying for such signs within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, an amount equal to the difference in such costs shall be remitted to the department in non-state funds within thirty (30) days of the sponsoring person or entity receiving an itemized invoice of the actual cost from the department.

Senator Henry moved that the Senate concur in House Amendment No. 1 to **Senate Joint Resolution No. 764**, which motion prevailed by the following vote:

Ayes .....	31
Noes .....	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

**CALENDAR**

Senator Kyle moved that **Senate Bill No. 3901** be rereferred to the Committee on Finance, Ways and Means, which motion prevailed.

**MOTION**

Senator Kyle moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 3901** on the calendar for the Committee on Finance, Ways and Means for Monday, May 24, 2010, and further moved, if the bill passes out of the committee it shall be immediately placed on the Regular Calendar for Monday, May 24, 2010, which motion prevailed.

**RECESS**

Senator Norris moved the Senate stand in recess until 5:00 p.m., which motion prevailed.

**CALL TO ORDER**

The Senate was called to order by Mr. Speaker Ramsey.

**ROLL CALL**

The Speaker declared that a quorum was present.

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On motion, the roll call was dispensed with.

**CALENDAR**

Senator Faulk moved that **Senate Bill No. 131** be placed on the next Calendar, which motion prevailed.

Senator Ketron moved that **Senate Bill No. 132** be rereferred to the Committee on Calendar, which motion prevailed.

Senator Ketron moved that **Senate Bill No. 274** be referred to the Committee on Finance, Ways and Means, which motion prevailed.

Senator Overbey moved that **Senate Bill No. 954** be moved five places down on the Calendar for today, which motion prevailed.

Mr. Speaker Ramsey moved that **Senate Bill No. 1916** be moved five places down on the Calendar for today, which motion prevailed.

**Senate Bill No. 2431** -- Sunset Laws -- As introduced, extends the private investigation and polygraph commission, June 30, 2011. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 26.

On motion, Senate Bill No. 2431 was made to conform with **House Bill No. 2609**.

On motion, House Bill No. 2609, on same subject, was substituted for Senate Bill No. 2431.

Senator Watson moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Watson moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-231(a), is amended by deleting subdivision (32) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 4-29-234(a), is amended by adding a new subdivision thereto, as follows:

( ) Private investigation and polygraph commission, created pursuant to § 62-26-301;

SECTION 3. Tennessee Code Annotated, Section 62-26-301(c)(1), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(1) Of the remaining two (2) members of the commission, one (1) member shall be a polygraph examiner licensed pursuant to Chapter 27 of this title and one (1) member shall be a person who is not engaged in or conducting the business of or

acting in the capacity of a private investigator or polygraph examiner, and who has no commercial or professional association with the private investigation or polygraph examiner professions or industries, either directly or indirectly.

SECTION 4. Tennessee Code Annotated, Section 62-26-301, is further amended by adding the following new language as a new subsection (d) and by redesignating present subsection (d) as subsection (e):

(d)(1) Notwithstanding the provisions of § 3-6-304 or any other law to the contrary, and in addition to all other requirements for membership on the commission:

(A) Any person registered as a lobbyist pursuant to the registration requirements of Title 3, Chapter 6, who is subsequently appointed or otherwise named as a member of the commission shall terminate all employment and business association as a lobbyist with any entity whose business endeavors or professional activities are regulated by the commission, prior to serving as a member of the commission. The provisions of this subdivision (1)(A) shall apply to all persons appointed or otherwise named to the commission after July 1, 2010;

(B) No person who is a member of the commission shall be permitted to register or otherwise serve as a lobbyist pursuant to Title 3, Chapter 6, for any entity whose business endeavors or professional activities are regulated by the commission during such person's period of service as a member of the commission. The provisions of this subdivision (1)(B) shall apply to all persons appointed or otherwise named to the commission after July 1, 2010, and to all persons serving on the commission on such date who are not registered as lobbyists; and

(C) No person who serves as a member of the commission shall be employed as a lobbyist by any entity whose business endeavors or professional activities are regulated by the commission for one (1) year following the date such person's service on the commission ends. The provisions of this subdivision (1)(C) shall apply to persons serving on the commission as of July 1, 2010, and to persons appointed to the commission subsequent to such date.

(2) A person who violates the provisions of this subsection shall be subject to the penalties prescribed in Title 3, Chapter 6.

(3) The bureau of ethics and campaign finance is authorized to promulgate rules and regulations to effectuate the purposes of this subsection. All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5, and in accordance with the procedure for initiating and proposing rules by the ethics commission to the bureau of ethics and campaign finance as prescribed in § 4-55-103.



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SECTION 5. The provision of this act prohibiting a member who is not engaged in the practice of private investigating or polygraph examining, and who has no direct or indirect affiliation with the private investigation or polygraph examiner professions or industries from serving on the commission shall apply to all member appointments made to the commission after July 1, 2010.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2609**, as amended, passed its third and final consideration by the following vote:

Ayes .....	29
Noes .....	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Jackson, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Southerland, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--29.

A motion to reconsider was tabled.

**Senate Bill No. 2433** -- Sunset Laws -- As introduced, extends real estate appraiser commission, June 30, 2011. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 39.

On motion, Senate Bill No. 2433 was made to conform with **House Bill No. 2614**.

On motion, House Bill No. 2614, on same subject, was substituted for Senate Bill No. 2433.

Senator Watson moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Watson moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-231(a), is amended by deleting subdivision (35) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 4-29-234(a), is amended by adding a new subdivision thereto, as follows:

( ) Real estate appraiser commission, created by § 62-39-201;

SECTION 3. Tennessee Code Annotated, Section 62-39-201(a), is amended by deleting subdivision (2) in its entirety and by substituting instead the following:

(2) The commission shall consist of nine (9) members, two (2) of whom shall be public members, one (1) of whom shall be a full-time educator of appraisal-related education within the state's universities, colleges and junior colleges. The public member who is a full-time educator of appraisal-related education shall have no commercial or professional association with the real estate appraiser profession or industry, either directly or indirectly, other than what is required for such member's employment as an educator. The public member who is not a full-time educator of appraisal-related education within the state's universities, colleges and junior colleges shall have no commercial or professional association with the real estate appraiser profession or industry, either directly or indirectly.

SECTION 4. Tennessee Code Annotated, Section 62-39-201, is further amended by inserting the following new sections immediately preceding subsection (e) and by redesignating the subsequent subsections accordingly:

(e)(1) Notwithstanding the provisions of § 3-6-304 or any other law to the contrary, and in addition to all other requirements for membership on the commission:

(A) Any person registered as a lobbyist pursuant to the registration requirements of Title 3, Chapter 6, who is subsequently appointed or otherwise named as a member of the commission shall terminate all employment and business association as a lobbyist with any entity whose business endeavors or professional activities are regulated by the commission, prior to serving as a member of the commission. The provisions of this subdivision (1)(A) shall apply to all persons appointed or otherwise named to the commission after July 1, 2010;

(B) No person who is a member of the commission shall be permitted to register or otherwise serve as a lobbyist pursuant to Title 3, Chapter 6, for any entity whose business endeavors or professional activities are regulated by the commission during such person's period of service as a member of the commission. The provisions of this subdivision (1)(B) shall apply to all persons appointed or otherwise named to the commission after July 1, 2010, and to all persons serving on the commission on such date who are not registered as lobbyists; and

(C) No person who serves as a member of the commission shall be employed as a lobbyist by any entity whose business endeavors or professional activities are regulated by the commission for one (1) year following the date such person's service on the commission ends. The provisions of this subdivision (1)(C) shall apply to persons serving on the commission as of July 1, 2010, and to persons appointed to the commission subsequent to such date.

(2) A person who violates the provisions of this subsection shall be subject to the penalties prescribed in Title 3, Chapter 6.

(3) The bureau of ethics and campaign finance is authorized to promulgate rules and regulations to effectuate the purposes of this subsection. All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5, and in accordance with the procedure for initiating and proposing rules by the ethics commission to the bureau of ethics and campaign finance as prescribed in § 4-55-103.

(f) In addition to all other requirements for membership on the commission, all persons appointed or otherwise named to serve as members of the commission after July 1, 2010, shall be residents of this state.

SECTION 5. Tennessee Code Annotated, Section 62-39-201, is further amended by deleting present subsection (g) in its entirety.

SECTION 6. The provision of this act which prohibits public members having any commercial or professional association with the real estate appraiser profession or industry from serving on the commission shall apply to all member appointments made to the commission after July 1, 2010.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Senator Watson moved to amend as follows:

**AMENDMENT NO. 3**

AMEND by deleting Section 3 of the bill as amended and by substituting instead the following:

SECTION 3. Tennessee Code Annotated, Section 62-39-201(a), is amended by deleting subdivision (2) in its entirety and by substituting instead the following:

(2) The commission shall consist of nine (9) members, one (1) of whom shall be a public member, one (1) of whom shall be a full-time educator of appraisal-related education within the state's universities, colleges and junior colleges, and one (1) of whom shall be from an appraisal management company or financial institution providing appraisal services in Tennessee. The public member shall have no commercial or professional association with the real estate appraiser profession or industry, either directly or indirectly. The member who is a full-time educator of appraisal-related education within the state's universities, colleges and junior colleges shall have no commercial association with the real estate appraiser profession or industry, either directly or indirectly.

AND FURTHER AMEND by deleting Section 6 of the bill as amended and by substituting instead the following:

SECTION 6. The provision of this act which prohibits members having any association with the real estate appraiser profession or industry from serving on the commission shall apply to all member appointments made to the commission after July 1, 2010.

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Pursuant to Rule 39(3), Amendment No. 3 was adopted by the following vote:

Ayes . . . . .	31
Noes . . . . .	0
Present, not voting . . .	1

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

Senator present and not voting was: Harper--1.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2614**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	33
Noes . . . . .	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

**Senate Bill No. 2434** -- Sunset Laws -- As introduced, extends real estate commission, June 30, 2011. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 13.

Mr. Speaker Ramsey declared Rule 13 on **Senate Bill No. 2434**.

Senator Yager declared Rule 13 on **Senate Bill No. 2434**.

On motion, Senate Bill No. 2434 was made to conform with **House Bill No. 2613**.

On motion, House Bill No. 2613, on same subject, was substituted for Senate Bill No. 2434.

Senator Watson moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Watson moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-231(a), is amended by deleting subdivision (36) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 4-29-234(a), is amended by adding a new subdivision thereto, as follows:

( ) Real estate commission, created by § 62-13-201;

SECTION 3. Tennessee Code Annotated, Section 62-13-201, is amended by deleting subsection (c) in its entirety and by substituting instead the following:

(c) Each of the remaining two (2) members of the commission shall be a person who is not engaged in, conducting the business of, or acting in the capacity of a real estate broker or affiliate broker, either directly or indirectly. The two (2) remaining members shall also be prohibited from directly or indirectly engaging in or otherwise being affiliated with the business of real estate financing or development.

SECTION 4. Tennessee Code Annotated, Section 62-13-201, is further amended by inserting the following new section immediately preceding subsection (d) and by redesignating the subsequent subsection accordingly:

(d)(1) Notwithstanding the provisions of § 3-6-304 or any other law to the contrary, and in addition to all other requirements for membership on the commission:

(A) Any person registered as a lobbyist pursuant to the registration requirements of Title 3, Chapter 6, who is subsequently appointed or otherwise named as a member of the commission shall terminate all employment and business association as a lobbyist with any entity whose business endeavors or professional activities are regulated by the commission, prior to serving as a member of the commission. The provisions of this subdivision (1)(A) shall apply to all persons appointed or otherwise named to the commission after July 1, 2010;

(B) No person who is a member of the commission shall be permitted to register or otherwise serve as a lobbyist pursuant to Title 3, Chapter 6, for any entity whose business endeavors or professional activities are regulated by the commission during such person's period of service as a member of the commission. The provisions of this subdivision (1)(B) shall apply to all persons appointed or otherwise named to the commission after July 1, 2010, and to all persons serving on the commission on such date who are not registered as lobbyists; and

(C) No person who serves as a member of the commission shall be employed as a lobbyist by any entity whose business endeavors or professional activities are regulated by the commission for one (1) year following the date such person's service on the commission ends. The provisions of this subdivision (1)(C) shall apply to persons serving on the commission as of July 1, 2010, and to persons appointed to the commission subsequent to such date.

(2) A person who violates the provisions of this subsection shall be subject to the penalties prescribed in Title 3, Chapter 6.

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(3) The bureau of ethics and campaign finance is authorized to promulgate rules and regulations to effectuate the purposes of this subsection. All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5, and in accordance with the procedure for initiating and proposing rules by the ethics commission to the bureau of ethics and campaign finance as prescribed in § 4-55-103.

SECTION 5. The provisions of this act which prohibit the two remaining members of the commission from being indirectly engaged in, indirectly conducting the business of, or indirectly acting in the capacity of a real estate broker or affiliate broker, and which prohibit such members from being indirectly engaged in the business of real estate financing or development shall apply to all member appointments made to the commission after July 1, 2010.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2613**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	31
Noes . . . . .	1
Present, not voting . . .	1

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

Senator voting no was: Haynes--1.

Senator present and not voting was: Harper--1.

A motion to reconsider was tabled.

**Senate Bill No. 2436** -- Sunset Laws -- As introduced, extends Tennessee auctioneer commission, June 30, 2011. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 19.

Mr. Speaker Ramsey declared Rule 13 on **Senate Bill No. 2436**.

On motion, Senate Bill No. 2436 was made to conform with **House Bill No. 2611**.

On motion, House Bill No. 2611, on same subject, was substituted for Senate Bill No. 2436.

Senator Watson moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Watson moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-231(a), is amended by deleting subdivision (46) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 4-29-234(a), is amended by adding a new subdivision thereto, as follows:

( ) Tennessee auctioneer commission, created by § 62-19-104;

SECTION 3. Tennessee Code Annotated, Section 62-19-104(b), is amended by deleting subdivision (2) in its entirety and by substituting instead the following:

(2) One (1) member of the commission shall not be engaged in the auction business. The member shall be at least thirty (30) years of age and of good moral character and shall be appointed from the state at large. Such member shall have no commercial or professional association with the auction profession or industry, either directly or indirectly.

SECTION 4. Tennessee Code Annotated, Section 62-19-104, is further amended by inserting the following new sections immediately preceding subsection (d) and by redesignating the subsequent subsections accordingly:

(d)(1) Notwithstanding the provisions of § 3-6-304 or any other law to the contrary, and in addition to all other requirements for membership on the commission:

(A) Any person registered as a lobbyist pursuant to the registration requirements of Title 3, Chapter 6, who is subsequently appointed or otherwise named as a member of the commission shall terminate all employment and business association as a lobbyist with any entity whose business endeavors or professional activities are regulated by the commission, prior to serving as a member of the commission. The provisions of this subdivision (1)(A) shall apply to all persons appointed or otherwise named to the commission after July 1, 2010;

(B) No person who is a member of the commission shall be permitted to register or otherwise serve as a lobbyist pursuant to Title 3, Chapter 6, for any entity whose business endeavors or professional activities are regulated by the commission during such person's period of service as a member of the commission. The provisions of this subdivision (1)(B) shall apply to all persons appointed or otherwise named to the commission after July 1, 2010, and to all persons serving on the commission on such date who are not registered as lobbyists; and

(C) No person who serves as a member of the commission shall be employed as a lobbyist by any entity whose business endeavors or professional activities are regulated by the commission for one (1) year following the date such person's service on the commission ends. The provisions of this subdivision (1)(C) shall apply to persons serving on the commission as of July 1, 2010, and to persons appointed to the commission subsequent to such date.

(2) A person who violates the provisions of this subsection shall be subject to the penalties prescribed in Title 3, Chapter 6.

(3) The bureau of ethics and campaign finance is authorized to promulgate rules and regulations to effectuate the purposes of this subsection. All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5, and in accordance with the procedure for initiating and proposing rules by the ethics commission to the bureau of ethics and campaign finance as prescribed in § 4-55-103.

(e) In addition to all other requirements for membership on the commission, all persons appointed or otherwise named to serve as members of the commission after July 1, 2010, shall be residents of this state.

SECTION 5. The provision of this act which prohibits a member with an indirect association with the auction profession or industry from serving on the commission shall apply to all member appointments made to the commission after July 1, 2010.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2611**, as amended, passed its third and final consideration by the following vote:

Ayes .....	33
Noes .....	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Mr. Speaker Ramsey moved that **Senate Bill No. 954** be moved five places down on the Calendar for today, which motion prevailed.



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**Senate Bill No. 1916** -- Surveyors -- As introduced, enacts the "Soil Scientist Licensing Act of 2009". Amends TCA Title 62, Chapter 18 and Section 68-221-409.

Senator Watson moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Johnson moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by deleting in its entirety Section 4(1) in the printed bill and by renumbering subsequent subdivisions accordingly.

AND FURTHER AMEND by deleting the word "board" wherever it appears in Section 5(6) and (8), Section 9(a) and (b), Section 10, Section 12, Section 13, Section 14, Section 16, Section 18, and Section 20 in the printed bill and by substituting instead the word "commissioner".

AND FURTHER AMEND by deleting the date "January 1, 2010" in Section 5(4); Section 9(a)(3), (b)(1), and (b)(4); and in Section 23 and by substituting instead "July 1, 2011".

AND FURTHER AMEND by deleting in its entirety Section 8(b) in the printed bill and by substituting instead the following:

(b) This part shall not be construed to prevent or to affect the practice of any profession or trade related to soil science for which a license or registration is required under any other law of this state when such work is permitted under the applicable licensing or registration law.

AND FURTHER AMEND by deleting the language "professional soil scientist prior to January 1, 2010," in Section 9(b) in the printed bill and by substituting instead the language "professional soil scientist prior to July 1, 2011,".

AND FURTHER AMEND by adding the following language to the end of Section 10(a):

The commissioner shall consider and may implement all reasonable operating cost reductions suggested by the advisory committee in calculating any recurring or nonrecurring fees or additional charges to licensed professional soil scientists.

AND FURTHER AMEND by deleting in its entirety Section 11 in the printed bill and by substituting instead the following:

SECTION 11.(a) The commissioner may appoint, at appropriate times, a five (5) member advisory committee, also referred to as the "SSAC", for any purpose necessary to implement the provisions of this part, including, without limitation, rulemaking.

(b) The SSAC shall be administratively attached to the division of regulatory boards.

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(c) Advisory committee members shall receive no compensation, nor be entitled to be reimbursed for actual travel and other expenses incurred in attending any meeting and in performing any duties prescribed by the commissioner.

AND FURTHER AMEND by deleting in its entirety Section 15 in the printed bill and by substituting instead the following language:

SECTION 15. A roster showing the names and places of business of all licensed soil scientists shall be prepared by the commissioner each year. Copies of this roster shall be placed on file with the secretary of state and furnished to any licensee upon request, free of charge, or to the public upon request and payment of a fee, not to exceed actual cost, to be established by the commissioner.

AND FURTHER AMEND by deleting in its entirety Section 18(f) in the printed bill.

AND FURTHER AMEND by adding the following new section to precede the effective date section:

SECTION \_\_\_\_\_. The soil scientist advisory committee, created by Section 11 of this act, shall terminate on June 30, 2011, pursuant to the provisions of § 4-29-118, unless continued by the general assembly.

On motion, Amendment No. 2 was adopted.

Senator McNally moved to amend as follows:

**AMENDMENT NO. 3**

AMEND by deleting Section 21 of the printed bill in its entirety and by substituting instead the following:

SECTION 21. Tennessee Code Annotated, Section 68-221-409, is amended by deleting the section in its entirety and by substituting instead the following:

§ 68-221-409.

(a) Any person proposing to construct, alter, extend or repair subsurface sewage disposal systems, or engage in the business of removing accumulated wastes from such systems, shall secure a permit from the commissioner, in accordance with this part and rules and regulations promulgated pursuant to this part.

(b) If the permit of an installer of subsurface sewage disposal systems has been suspended or revoked after January 1, 2006, or if the department denies an application for renewal of a permit after January 1, 2006, and the permit is later reinstated or the installer later applies for a new permit, then to be eligible to receive such reinstated or new permit, the installer shall file with the commissioner a performance bond, or an irrevocable letter of credit, in the amount of thirty thousand dollars (\$30,000), for the benefit of any person who hires the installer and is damaged because of any negligence or fraud by the installer. Any person so damaged may sue directly on the bond without assignment of the bond. Liability under any such bond may not exceed, in the

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aggregate, the amount of the bond. If the bond of such installer later ceases to be in effect, the permit of the installer shall become null and void, subject to reinstatement, if a new bond is provided.

On motion, Amendment No. 3 was adopted.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

Thereupon, **Senate Bill No. 1916**, as amended, passed its third and final consideration by the following vote:

Ayes .....	33
Noes .....	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

**Senate Bill No. 2508** -- Correctional Programs -- As introduced, authorizes TRICOR to sell as surplus property equipment and raw materials no longer usable by TRICOR to businesses, government, nonprofit organizations, or by auction to the public. Amends TCA Title 41, Chapter 22, Part 4.

On motion, Senate Bill No. 2508 was made to conform with **House Bill No. 2485**.

On motion, House Bill No. 2485, on same subject, was substituted for Senate Bill No. 2508.

On motion of Senator Ketron, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2485** passed its third and final consideration by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senator Tracy moved that **Senate Bill No. 2621** be placed on the last Calendar, which motion prevailed.

**Senate Bill No. 2626** -- Special License Plates -- As introduced, authorizes issuance of special purpose plates for retired members of the general assembly and their families; fee for such plates is \$25.00. Amends TCA Title 55, Chapter 4.

Senator Tracy moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-4-225, is amended in subsection (e) by designating the present language as new subdivision (1) and by adding the following language as new subdivision (2):

(2) Members of the general assembly are also entitled to request special purpose plates for an additional automobile owned by a former member of the general assembly who represented the same district unless such former member has been convicted in any court of this state, or in any federal court, of a felony arising out of the former member's official capacity as a member of the general assembly. Any such former member shall comply with all applicable state motor vehicle laws, and pay all applicable fees, relating to registration and licensing of motor vehicles. Such additional plates shall be distinguished by the addition of a retired decal and a legend that does not exceed the requirements of this section.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.

Senator Faulk moved that **Senate Bill No. 2626** be moved five places down on the Calendar for today, which motion prevailed.

**Senate Bill No. 2699** -- Traffic Safety -- As introduced, requires certain motor vehicles or trailers transporting loads at night to mount strobe or LED light at back of projecting load. Amends TCA Title 55, Chapter 9, Part 4.

On motion, Senate Bill No. 2699 was made to conform with **House Bill No. 2486**.

On motion, House Bill No. 2486, on same subject, was substituted for Senate Bill No. 2699.

On motion of Senator Tracy, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2486** passed its third and final consideration by the following vote:

Ayes .....	33
Noes .....	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

**Senate Bill No. 2709** -- Domestic Violence -- As introduced, requires persons convicted of domestic assault to attend counseling for the duration of their sentence for such offense. Amends TCA Title 39, Chapter 13, Part 1.

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On motion, Senate Bill No. 2709 was made to conform with **House Bill No. 2781**.

On motion, House Bill No. 2781, on same subject, was substituted for Senate Bill No. 2709.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Senator Crowe moved that **House Bill No. 2781** be moved ten places down on the Calendar for today, which motion prevailed.

Mr. Speaker Ramsey moved that **Senate Bill No. 954** be moved five places down on the Calendar for today, which motion prevailed.

**Senate Bill No. 2809** -- Uniform Commercial Code -- As introduced, gives priority to perfected purchase-money security interests over any taxes assessed by the state, a county, or municipality, taxing district, or other local governmental entity. Amends TCA Title 67.

On motion, Senate Bill No. 2809 was made to conform with **House Bill No. 3259**.

On motion, House Bill No. 3259, on same subject, was substituted for Senate Bill No. 2809.

On motion of Senator Johnson, Amendment No. 1 was withdrawn.

On motion of Senator McNally, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 3259** passed its third and final consideration by the following vote:

Ayes .....	33
Noes .....	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

**Senate Bill No. 2835** -- Taxes, Sales -- As introduced, authorizes the allocation of state sales tax revenues to enhancement counties in which commercial development zones are located. Amends TCA Title 67, Chapter 6.

Senator McNally moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-6-103, is amended by adding the following language as a new, appropriately designated subsection:

(o)(1) As used in this subsection (o), unless the context otherwise requires:

(A) "Best interests of the state" means a determination by the Commissioner of Revenue, with approval by the Commissioner of Economic and Community Development, that:

(i) The public improvements made within or adjacent to a mixed-use development are a result of the special allocation and distribution of state sales tax provided for in this subsection; and

(ii) The mixed-use development is a result of such public improvements.

(B) "Commercial development zone" means an area in which a mixed-use development is planned or located. To comprise a commercial development zone, the area:

(i) Must be located entirely within an eligible county;

(ii) Shall not exceed one thousand two hundred (1,200) acres; and

(iii) Must be located adjacent to a federally designated interstate highway;

(C) "Eligible county" means any county in which:

(i) At least twenty-five percent (25%) of the county consists of federally-owned land;

(ii) At least thirty and three-fifths percent (30.6%) of the county's population, eighteen (18) years of age and younger, lives in poverty as determined by the United States census bureau, Small Area Income and Poverty Estimates (SAIPE) program, or any comparable successor program, within the three-year period immediately preceding establishment of the commercial development zone; and

(iii) The Federal Highway Administration has approved an interstate exit in close proximity to the area proposed for a commercial development zone, and such approval was based on the need to stimulate local economic development opportunities;

(D) "Mixed-use development" means an area, located entirely within an eligible county, containing not less than five hundred (500) acres nor more than one thousand two hundred (1,200) acres and includes, but is not limited to, property with commercial uses; and

(E) "Public improvements" means roads, streets, sidewalks, utility services, such as electricity, gas, water and sanitary sewer, and related services, parking facilities, parks, and all other necessary or

desirable improvements to be used by the public in connection with a commercial development zone.

(2) Notwithstanding the allocations provided for in subsection (a), if an eligible county has good reason to anticipate that a private entity is willing to plan and develop a mixed-use development; and if the Commissioner of Revenue, with approval by the Commissioner of Economic and Community Development, determines that the special allocation of state sales tax, as authorized by this subsection, is in the best interests of the state; then the county legislative body may adopt a resolution designating a commercial development zone for such mixed-use development; provided, however, no county shall contain more than one (1) commercial development zone; and provided further, however, the county legislative body must adopt such resolution on or before June 30, 2011. If the county legislative body duly adopts such resolution, and if the county or an industrial development board, pursuant to subdivision (o)(3), issues bonds payable in whole or part from the tax revenues described herein and uses the proceeds to finance any development or public improvements constructed within or adjacent to the commercial development zone, then an amount shall be apportioned and distributed to such county for the retirement of debt evidenced by such bonds. The amount apportioned and distributed to the county pursuant to this subsection shall equal the amount of state tax revenue derived under this chapter from sales of items and services subject to tax pursuant to this chapter, if the sales occur within the commercial development zone. The apportionment and distribution of such revenue shall begin upon the receipt of a certificate of occupancy for the first retail business operating within the commercial development zone and shall continue for a period of thirty (30) years, or until the debt, including any refunding debt, relating to the commercial development zone is retired, whichever is sooner.

(3) An eligible county in which a commercial development zone is duly located is authorized to delegate to any industrial development corporation incorporated by the county or a municipality within the county the authority to issue revenue bonds to finance development or public improvements within or adjacent to a commercial development zone; provided, that the county shall enter into an agreement with the industrial development corporation in which the county shall agree to promptly pay to the industrial development corporation the tax revenues described in this subsection. Upon receipt, such tax revenues shall be held in trust by the county for the benefit of the industrial development corporation.

(4) Notwithstanding any provision of subdivision (o)(2) to the contrary, no portion of the revenue derived from the increase in the rate of sales and use tax allocated to educational purposes pursuant to Acts 1992, Ch. 529, § 9, and no portion of the revenue derived from the increase in the rate of sales and use tax from six percent (6%) to seven percent (7%) contained in Acts 2002, Ch. 856, § 4, shall be apportioned and distributed pursuant to this subsection. The revenue shall continue to be allocated as provided in Acts 1992, Ch. 529 and Acts 2002, Ch. 856, respectively.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

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On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2835**, as amended, passed its third and final consideration by the following vote:

Ayes .....	28
Noes .....	3

Senators voting aye were: Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--28.

Senators voting no were: Beavers, McNally and Tracy--3.

A motion to reconsider was tabled.

**FURTHER ACTION ON SENATE BILL NO. 2626**

Senator Faulk moved that **Senate Bill No. 2626** be moved three places down on the Calendar for today, which motion prevailed.

**Senate Bill No. 2837** -- Special License Plates -- As introduced, authorizes issuance of new specialty earmarked license plates for Fisk University; allocates 50 percent of funds derived from sale thereof to university to further its academic mission. Amends TCA Title 55, Chapter 4.

Senator Tracy moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Fisk Jubilee Singers;

SECTION 2. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Fisk Jubilee Singers new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall contain the logo or other distinctive emblem of the Fisk Jubilee Singers in an appropriate design. Such plates shall be designed in consultation with a representative as designated by the Fisk University Alumni Association.



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(c) The funds produced from the sale of such new specialty earmarked license plates shall be allocated to the Fisk University Alumni Association in accordance with § 55-4-215 to be used for operations and programming in this state.

SECTION 3. This act shall take effect July 1, 2010, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2837**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	33
Noes . . . . .	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

**Senate Bill No. 2870** -- Special License Plates -- As introduced, authorizes issuance of new specialty earmarked plate for Tennessee Cave Salamander; proceeds for such plate allocated to wildlife resources fund. Amends TCA Title 55, Chapter 4.

Senator Tracy moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language before the enacting clause in its entirety, and by deleting all language after the enacting clause and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 55-4-239, is amended by deleting subsection (f) in its entirety and by substituting instead the following language:

(f) Additional license plates may be obtained by any person entitled to receive the holders of the Purple Heart registration plate or by such person's widow or widower upon the death of such person, upon payment of the regular license fee for plates, as prescribed under § 55-4-111, plus the payment of a fee equal to the cost of actually producing the plate.

SECTION 2. Tennessee Code Annotated, Section 55-4-260, is amended by adding the following language as new subsections:

(f) Subject to the requirements of § 55-4-201, the commissioner is authorized and shall issue a license plate to an owner or lessee of a motorcycle who is otherwise eligible for an International Association of Firefighters new specialty earmarked license plate; provided, however, that the owner or lessee shall comply with the state motor vehicle laws relating to registration and licensing of motorcycles and shall pay the regular fee applicable to motorcycles and the applicable fee specified in § 55-4-203 prior to the issuance of the plate.

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(g) For the purposes of § 55-4-201(h)(1), all license plates authorized or issued pursuant to subsections (a) and (f) shall be included jointly in any determinations for initial issuance and continuation of issuance.

SECTION 3. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following language as a new, appropriately designated subdivision:

( ) Habitat for Humanity;

SECTION 4. Tennessee Code Annotated, Title 55, Chapter 4, is amended by adding the following language as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued an Habitat for Humanity new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall contain the logo of Habitat for Humanity International and shall be designed in consultation with the executive director of Habitat for Humanity of Tennessee.

(c) Funds produced from the sale of Habitat for Humanity new specialty earmarked license plates shall be allocated to Habitat for Humanity of Tennessee, in accordance with the provisions of § 55-4-215, to be used exclusively in furtherance of the organization's programs and activities in this state.

SECTION 5. Tennessee Code Annotated, Section 55-4-110, is amended in subsection (b) by adding the following language after the first sentence thereof:

Provided, if a motorcycle is equipped with vertically mounted license plate brackets, its license plate shall be mounted vertically with the top of such license plate fastened along the right vertical edge.

SECTION 6. Tennessee Code Annotated, Section 55-4-202(c)(5)(F), is amended by adding the following language as a new, appropriately designated subdivision:

( ) Submarine veteran;

SECTION 7. Tennessee Code Annotated, Section 55-4-203(c)(1), is amended by adding the following language as a new, appropriately designated subdivision:

( ) Submarine veteran;

SECTION 8. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following language as a new, appropriately designated section:

§ 55-4-2\_\_.

(a)(1) An owner or lessee of a motor vehicle who is a resident of this state, who is an honorably discharged veteran of the United States Armed Forces having served on a submarine in the line of military duty, and whose submarine service has been certified by the

Department of Veterans Affairs, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and upon paying the regular fee applicable to the vehicle and the fee prescribed by § 55-4-203, shall be issued a "Submarine Veteran" license plate for a motor vehicle authorized by § 55-4-210(c).

(2) The application for such plate shall be accompanied by documentation from the appropriate branch of the United States Armed Forces, certified by the Department of Veterans Affairs, verifying that the applicant served on a submarine in the line of military duty as a member of the United States Armed Forces.

(b)(1) The design of such license plates that are issued pursuant to this section shall be colored red, white and blue so as to be similar in hue and intensity to the coloration of the United States flag and shall bear the legend, "SUBMARINE VETERAN".

(2) The license plates provided for in this section shall be designed in consultation with the Commissioner of Veterans Affairs.

SECTION 9. Tennessee Code Annotated, Section 55-4-202(c)(5)(F), is amended by adding the following language as a new, appropriately designated subdivision:

( ) Blue star family;

SECTION 10. Tennessee Code Annotated, Section 55-4-203(c)(1), is amended by adding the following language as a new, appropriately designated subdivision:

( ) Blue star family;

SECTION 11. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following language as a new, appropriately designated section:

§ 55-4-2\_\_.

(a) The department shall issue to each eligible person in the state whose spouse, parent, sibling or child is serving in the Armed Forces of the United States at the time of application, a blue star family military license plate for a motor vehicle authorized by § 55-4-210(c), upon the applicant complying with state motor vehicle laws relating to registration and licensing of motor vehicles and upon paying the regular fee applicable to the motor vehicle and the fee provided in § 55-4-203.

(b) The blue star family plate shall include an identification legend distinctive to blue star families. The legend shall read "Blue Star Family". The registration number of the plate shall include the letters "BS" and a unique identifying number. The plates shall be designed in consultation with the Department of Veterans Affairs.

(c) Eligibility for blue star family plates shall be determined by the department by consulting appropriate documentation from the Department of Veterans Affairs.

(d) Additional license plates may be obtained by any eligible person upon payment of the regular license fee for plates, as prescribed under § 55-4-111, plus the payment of a fee equal to the cost of actually producing the plate pursuant to § 55-4-203(c).

SECTION 12. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Friends of Coal;

SECTION 13. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) Owners or lessees of motor vehicles who are residents of the State of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Friends of Coal new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain the language "Friends of Coal".

(c) The funds produced from the sale of such new specialty earmarked license plates shall be allocated in accordance with § 55-4-215 to the Tennessee surface mine reclamation fund established pursuant to § 59-8-326, to be used exclusively for reclamation and revegetation of land and water affected by mining and exploration operations and related research in this state.

SECTION 14. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Fisk Jubilee Singers;

SECTION 15. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Fisk Jubilee Singers new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall contain the logo or other distinctive emblem of the Fisk Jubilee Singers in an appropriate design. Such plates shall be designed in consultation with a representative as designated by the Fisk University Alumni Association.

(c) The funds produced from the sale of such new specialty earmarked license plates shall be allocated to the Fisk University Alumni Association in accordance with § 55-4-215 to be used for operations and programming in this state.

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SECTION 16. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Down Syndrome awareness;

SECTION 17. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Down Syndrome awareness new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain an appropriate logo or other design promoting Down Syndrome awareness and shall be designed in consultation with the Down Syndrome Policy Network of Tennessee.

(c) The funds produced from the sale of Down Syndrome awareness new specialty earmarked license plates shall be allocated in accordance with § 55-4-215, to the Down Syndrome Policy Network of Tennessee to be used exclusively to assist individuals with Down Syndrome, and their families, who reside in Tennessee.

SECTION 18. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Oak Ridge Revitalization Effort;

SECTION 19. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued an Oak Ridge Revitalization Effort new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain an appropriate logo or other design representative of the Oak Ridge Revitalization Effort and the acronym "ORRE".

(c) The funds produced from the sale of Oak Ridge Revitalization Effort new specialty earmarked license plates shall be allocated to the Oak Ridge Revitalization Effort in accordance with § 55-4-215. Such funds shall be used by the Oak Ridge Revitalization Effort to restore and repair the Alexander Inn and Guest House.

SECTION 20. Tennessee Code Annotated, Title 55-4-223(a)(1), is amended by adding the following language as a new, appropriately designated subdivision:

(C) In addition to the governmental entities listed in subdivisions (a)(1)(A) and (B), human resource agencies created pursuant to § 13-26-102 and development districts as created pursuant to § 13-14-102 may also apply for government service plates under this section for vans owned by such human resource agencies and development districts and used exclusively for agencies' and districts' activities.

SECTION 21. Tennessee Code Annotated, Section 55-4-253, is amended by deleting the section in its entirety and by substituting instead the following language:

(a) An owner or lessee of a motor vehicle who is a resident of this state and who is an honorably discharged veteran of the United States Armed Forces, or a civilian veteran of the United States Army Corps of Engineers, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and upon paying the regular fee applicable to the motor vehicle and the fee provided in § 55-4-203, shall be issued an honorably discharged veteran registration plate for a motor vehicle authorized by § 55-4-210(c).

(b) All applications pursuant to this section shall be accompanied by orders or a statement of discharge from the appropriate branch of the United States Armed Forces classifying the applicant as an honorably discharged veteran, or by orders or official documentation from the United States Army Corps of Engineers classifying the applicant as a civilian veteran; provided, that, notwithstanding any law to the contrary, an honorably discharged veteran of the United States Armed Forces shall be required to submit documentation of honorable discharge status only when initially applying for registration plates under this section and subsequent registration plates under this section shall be issued to that person without the repeated presentation of honorable discharge status documentation.

(c)(1) The registration plates provided for in this section shall be designed in consultation with the Commissioner of Veterans Affairs.

(2) The design of registration plates that are issued pursuant to this section shall bear the name of the county of issue on the lower edge of the tag.

(3) For honorably discharged veterans and civilian veterans, the American flag shall be in the center of the tag.

(4) For honorably discharged veterans and civilian veterans of Vietnam, the center emblem shall be crossed American and Republic of Vietnam flags. A Southeast Asia campaign medal or appropriate civilian documentation shall have been awarded in order to obtain the Vietnam Veteran plate.

(5) For veterans and civilian veterans of World War II, the strip along the bottom of the license plate shall read "WW II Veteran", and the symbol on the left shall be the Honorable Service Lapel Pin, also known as the "ruptured duck". Proof of honorable military or civilian service between December 7, 1941 and December 31, 1946, shall be required to obtain this plate.

(6) For veterans and civilian veterans of the Korean War, the strip along the bottom of the license plate shall read "Korean War Veteran", and the symbol on the left shall be crossed American and Republic of Korea flags. A Korean Service Medal shall have been awarded for an honorably discharged veteran, or appropriate civilian documentation, to obtain this plate.

(7) For veterans and civilian veterans of Operation Desert Storm, the strip along the bottom of the license plate shall read "Desert Storm Veteran", and the symbol on the left shall be crossed American and Kuwait flags. Award of the Southwest Asia Service medal and proof of honorable service, or appropriate civilian documentation, shall be required for a veteran or civilian veteran to obtain this plate.

(8) For veterans and civilian veterans of the peacekeeping mission in Bosnia, the plate shall be designed by the Commissioner of Veterans Affairs in consultation with the Commissioner of Revenue. The Commissioner of Veterans Affairs shall also set proof of service requirements for honorably discharged veterans and civilian veterans to obtain this plate.

(9) For honorably discharged veterans and civilian veterans of Operation Iraqi Freedom and active members of the United States Armed Forces or the United States Army Corps of Engineers serving in Operation Iraqi Freedom, the plate shall be designed by the Commissioner of Veterans Affairs in consultation with the Commissioner of Revenue. The Commissioner of Veterans Affairs shall also set proof of service requirements for veterans or civilian veterans who have served or who are still serving in Operation Iraqi Freedom to obtain the plate.

(10) For honorably discharged veterans and civilian veterans of Operation Enduring Freedom and active members of the United States Armed Forces or United States Army Corps of Engineers serving in Operation Enduring Freedom, the plate shall be designed by the Commissioner of Veterans Affairs in consultation with the Commissioner of Revenue. The Commissioner of Veterans Affairs shall also set proof of service requirements for veterans and civilian veterans who have served or who are still serving in Operation Enduring Freedom to obtain the plate.

(d) The Commissioner of Revenue is authorized to promulgate rules and regulations to effectuate the purposes of this section. All rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5.

SECTION 22. Tennessee Code Annotated, Section 55-4-304, is amended by adding a new subsection thereto, as follows:

(d) Notwithstanding the time limitations of § 55-4-201(h)(1), the I RECYCLE new specialty earmarked license plates authorized for issuance pursuant to this section shall have one (1) year from the effective date of this act or until July 1, 2011, whichever is later, to meet applicable initial issuance requirements of § 55-4-201(h)(1).

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SECTION 23. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Tennessee Soccer;

SECTION 24. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Tennessee Soccer new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall contain the logo or other distinctive emblem of the Tennessee State Soccer Association in an appropriate design. Such plates shall be designed in consultation with the Tennessee State Soccer Association.

(c) The funds produced from the sale of such new specialty earmarked license plates shall be allocated to the Tennessee State Soccer Association in accordance with § 55-4-215 to be used for programs and services that foster the physical, mental and emotional growth of Tennessee's youth through the sport of soccer in this state.

SECTION 25. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Music City Alumni Chapter of Western Kentucky University;

SECTION 26. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Music City Alumni Chapter of Western Kentucky University new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall contain the official colors, logo or other distinctive emblem of Western Kentucky University in an appropriate design. Such plates shall be designed in consultation with a representative from the Music City alumni chapter of Western Kentucky University.

(c) The funds produced from the sale of such new specialty earmarked license plates shall be allocated to the Music City alumni chapter of Western Kentucky University in accordance with § 55-4-215 to be used for scholarship funding for Tennessee students attending Western Kentucky University.

SECTION 27. Tennessee Code Annotated, Section 55-4-276, is amended by adding the following language to the end of subsection (c):



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Notwithstanding any provision of law to the contrary, the new specialty earmarked plates provided for in this section shall have one (1) year from the effective date of this act or July 1, 2011, whichever is later, to meet the initial issuance requirements of § 55-4-201(h)(1). In addition, the new specialty earmarked plates provided in this section shall be redesigned in consultation with the Jeff Roth Cycling Foundation. Such newly redesigned plate shall be available for initial issuance and renewals on or after July 1, 2010.

SECTION 28. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Lions Club;

SECTION 29. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Lions Club new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall contain the logo or other distinctive emblem of the Lions Club in an appropriate design. Such plates shall be designed in consultation with a representative as designated by Tennessee Lions Charities.

(c) The funds produced from the sale of such new specialty earmarked license plates shall be allocated to Tennessee Lions Charities in accordance with § 55-4-215 to be used for programs to eradicate blindness, serve youth and support humanitarian projects in this state.

SECTION 30. Tennessee Code Annotated, Section 55-4-255, is amended by deleting subsection (c) in its entirety and by substituting instead the following language:

(c) The funds produced from the sale of Trout Unlimited new specialty earmarked license plates shall be allocated to the Tennessee council of Trout Unlimited, in accordance with § 55-4-215, for distribution to the Tennessee chapters of Trout Unlimited in amounts as determined by the Tennessee council. The funds shall be used exclusively in Tennessee by the Tennessee chapters of Trout Unlimited to further the organization's mission to conserve, protect, and restore North America's coldwater fisheries and their watersheds.

SECTION 31. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) University of Tennessee Volunteer athletics;

SECTION 32. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

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(a) An owner or lessee of a motor vehicle who is a resident of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a University of Tennessee Volunteer athletics new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain the traditional "Power T" logo filled in orange and outlined in black. The "Power T" logo shall be placed against a background in the traditional orange and white checkerboard pattern of University of Tennessee Volunteer athletics. Such plates shall also contain the language "TENNESSEE VOLUNTEERS" in black lettering.

(c) The funds produced from the sale of University of Tennessee Volunteer athletics new specialty earmarked license plates shall be allocated to the Tennessee Fund of the University of Tennessee in accordance with § 55-4-215.

SECTION 33. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Volunteer Wounded Warriors;

SECTION 34. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Volunteer Wounded Warriors new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall contain an appropriate design honoring Tennessee's wounded veterans. Such plates shall be designed in consultation with the Department of Veterans Affairs.

(c) Funds produced from the sale of Volunteer Wounded Warriors new specialty earmarked license plates shall be allocated, in accordance with § 55-4-215, to the Department of Veterans Affairs to be used to support programs to assist veterans' rehabilitation, readjustment, and treatment with first priority to Tennessee veterans wounded in conflicts in federal service, second priority to all other disabled veterans, and third priority to any honorably discharged veteran.

SECTION 35. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) International Brotherhood of Electrical Workers;

SECTION 36. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued an International Brotherhood of Electrical Workers new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain an appropriate logo or other design representative of the International Brotherhood of Electrical Workers and the acronym "IBEW".

(c) The funds produced from the sale of such International Brotherhood of Electrical Workers new specialty earmarked license plates shall be allocated to St. Jude Children's Hospital in accordance with § 55-4-215. Such funds shall be used exclusively to support St. Jude Children's Hospital's efforts to provide exemplary medical treatment and care to children.

SECTION 37. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) First Families of Tennessee;

SECTION 38. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 55-4-2\_.

(a) An owner or lessee of a motor vehicle who is a resident of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided in § 55-4-203, shall be issued a First Families of Tennessee new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be designed in consultation with the East Tennessee Historical Society.

(c) The funds produced from the sale of First Families of Tennessee new specialty earmarked license plates shall be allocated in accordance with the provisions of § 55-4-215 to the East Tennessee Historical Society to document and preserve the unique heritage of East Tennessee.

SECTION 39. Notwithstanding § 55-4-201(h)(1), the Tennessee Off-Highway Vehicle Association new specialty earmarked license plates authorized for issuance pursuant to § 55-4-321 shall have one (1) year from the effective date of this act or until July 1, 2011, whichever is later, to meet applicable initial issuance requirements of § 55-4-201(h)(1).

SECTION 40. Tennessee Code Annotated, Section 55-4-278, is amended by deleting such section in its entirety and by substituting instead the following:

Section 55-4-278.

(a)(1) Subject to the requirements of § 55-4-201, the commissioner is authorized, and shall issue, a registration plate to an owner or lessee of a motorcycle who is otherwise eligible for a national guard plate, enumerated in § 55-4-202(c)(3), a Tennessee State Guard plate, enumerated in § 55-4-270, a memorial plate, enumerated in § 55-4-202(c)(4), or a military plate, enumerated in § 55-4-202(c)(5)(F); provided, however, that the owner or lessee shall comply with the state motor vehicle laws relating to registration and licensing of motorcycles; and, except for an owner or lessee eligible for a memorial plate, enumerated in § 55-4-202(c)(4), and as provided in § 55-4-228(d)(1)(A) for an enlisted national guard member, pay the regular fee applicable to motorcycles, and the applicable fee specified in § 55-4-203, prior to the issuance of any such plate.

(2) Nothing in this section shall be construed as authorizing the issuance of an additional plate or plates free of charge to an eligible owner or lessee, whether for a motorcycle, authorized motor vehicle, or a combination of the two, above the total number of free plates authorized by § 55-4-235 for former prisoners of war, by § 55-4-236 for recipients of the Medal of Honor, the Distinguished Service Cross, the Navy Cross, or the Air Force Cross, by § 55-4-237 for disabled veterans, including those disabled veterans who choose to receive the Purple Heart plate, pursuant to § 55-4-237(d), or by § 55-4-228(d)(1)(A) for enlisted national guard members, as applicable.

(b) The motorcycle plates authorized by this section shall be substantially the same in design and configuration, allowing for variations due to size restrictions, as the regular motor vehicle registration plates authorized by § 55-4-202(c)(5)(F)(i) for combat veterans, by § 55-4-202(c)(5)(F)(vi) for the Marine Corps League, by § 55-4-228 for national guard members, by § 55-4-270 for state guard members, by § 55-4-231 for Silver Star and Bronze Star recipients, by § 55-4-235 for former prisoners of war, by § 55-4-236 for recipients of the Medal of Honor, the Distinguished Service Cross, the Navy Cross, or the Air Force Cross, by § 55-4-237 for disabled veterans, by § 55-4-238 for Pearl Harbor survivors, by § 55-4-239 for holders of the Purple Heart, by § 55-4-242 for members of the United States Reserve Forces, by § 55-4-243 for enemy evadees, by § 55-4-244 for active and retired members of the United States military and the United States military reserves in good standing, by § 55-4-253 for honorably discharged veterans, or by § 55-4-318 for handicapped veterans, as applicable.

(c) The funds produced from the sale and renewal of the motorcycle plates shall be allocated in accordance with § 55-4-216 for the military plates enumerated in § 55-4-202(c)(5)(F), and in accordance with § 55-4-219 for the national guard plates enumerated in § 55-4-202(c)(3) and the memorial plates enumerated in § 55-4-202(c)(4), as applicable.

SECTION 41. Notwithstanding § 55-4-201(h)(1), the Rotary International new specialty earmarked license plates authorized for issuance pursuant to § 55-4-327 shall have

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one (1) year from the effective date of this act or until July 1, 2011, whichever is later, to meet applicable initial issuance requirements of § 55-4-201(h)(1).

SECTION 42. Tennessee Code Annotated, Section 55-4-202(c)(2), is amended by adding the following language as a new subdivision:

(K) Magistrates;

SECTION 43. Tennessee Code Annotated, Section 55-4-226, is amended by adding the following language as a new subsection:

(i) An owner or lessee of a motor vehicle who is a resident of this state and whose duty is to serve a judiciary function as a magistrate, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles, payment of the regular license fee for plates, as prescribed under § 55-4-111, and payment of the additional fee provided for in § 55-4-203, shall be issued a license plate, as prescribed by § 55-4-101, for motor vehicles authorized by § 55-4-210(c), upon which, instead of the numbers as prescribed by § 55-4-103, shall be inscribed an individual distinctive number.

SECTION 44. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Memphis Rock 'n' Soul Museum;

SECTION 45. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Memphis Rock 'n' Soul Museum new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall contain the logo or other distinctive emblem of the Memphis Rock 'n' Soul Museum in an appropriate design and contain the language "The State of American Music". Such plates shall be designed in consultation with a representative as designated by the Memphis Rock 'n' Soul Museum.

(c) The funds produced from the sale of such new specialty earmarked license plates shall be allocated to the Memphis Rock 'n' Soul Museum in accordance with § 55-4-215 to be used for music educational programs and developing an oral history program of musical legends in this state.

SECTION 46. Notwithstanding § 55-4-201(h)(1), the Teachers new specialty earmarked license plates authorized for issuance pursuant to § 55-4-326 shall have one (1) year from the effective date of this act or until July 1, 2011, whichever is later, to meet applicable initial issuance requirements of § 55-4-201(h)(1).

SECTION 47. Notwithstanding § 55-4-201(h)(1), the Cherohala Skyway new specialty earmarked license plates authorized for issuance pursuant to § 55-4-283 shall have one (1)

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year from the effective date of this act or until July 1, 2011, whichever is later, to meet applicable initial issuance requirements of § 55-4-201(h)(1).

SECTION 48. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Kappa Delta Sorority;

SECTION 49. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Kappa Delta Sorority new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall contain the logo or other distinctive emblem of the Kappa Delta Sorority in an appropriate design and contain the language "Kappa Delta Sorority". Such plates shall be designed in consultation with a representative as designated by Kappa Delta Sorority Nashville Alumnae Chapter.

(c) The funds produced from the sale of such new specialty earmarked license plates shall be allocated to the Kappa Delta Foundation in accordance with § 55-4-215, to be used in furtherance of the organization's charitable activities in this state.

(d) Notwithstanding § 55-4-201(h)(1), the Kappa Delta Sorority new specialty earmarked license plates authorized by this section shall have two (2) years from the effective date of this act or until July 1, 2012, whichever is later, to meet applicable initial issuance requirements of § 55-4-201(h)(1).

SECTION 50. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) T.C. Thompson Children's Hospital;

SECTION 51. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) Owners or lessees of motor vehicles who are residents of the State of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a T.C. Thompson Children's Hospital new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be designed in consultation with a representative as designated by the T.C. Thompson Children's Hospital.

(c) The funds produced from the sale of such new specialty earmarked license plates shall be allocated, in accordance with § 55-4-215, to the T.C. Thompson Children's Hospital Foundation, to be used exclusively for promoting public awareness and enhancing medical excellence to meet the unique needs of children and their families.

SECTION 52. Tennessee Code Annotated, Section 55-4-221, is amended by adding the following language after the first sentence in subdivision (c)(4):

Upon the depletion of the department's current inventory of temporary plates, the department shall redesign the temporary plates in such a manner as determined by the commissioner as will permit the conspicuous display of individual distinctive alpha-numerical characters.

SECTION 53. Tennessee Code Annotated, Section 55-4-244, is amended by adding the following language to the end of subsection (a):

A surviving spouse of such a deceased active, retired or honorably discharged member, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and upon paying the regular fee applicable to the vehicle and the fee prescribed by § 55-4-203, shall be issued a registration plate pursuant to this section, until the surviving spouse remarries.

SECTION 54. Tennessee Code Annotated, Title 55-4-223(a)(1), is amended by adding the following language as a new, appropriately designated subdivision:

(C) In addition to the governmental entities listed in subdivisions (a)(1)(A) and (B), community action agencies may also apply for government service plates under this section for vans owned by such community action agencies and used exclusively for agencies' activities.

SECTION 55. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 56. Sections 1, 5, 20, 21, 22, 27, 39, 41, 46 and 47 of this act shall take effect upon becoming a law, the public welfare requiring it. All other sections of this act shall take effect July 1, 2010, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator Burchett moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by adding the following sections to precede the final section and redesignating the remaining sections accordingly:

SECTION \_\_. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Boy Scouts of America;

SECTION \_\_. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) Owners or lessees of motor vehicles who are residents of the State of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Boy Scouts of America new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall contain the official logo or other design representative of the Boy Scouts of America. Such plates shall be designed in consultation with the Tennessee Councils of the Boy Scouts of America.

(c)(1) The funds produced from the sale of such Boy Scouts of America new specialty earmarked license plates shall be allocated in accordance with the provisions of § 55-4-215; provided, however, that the funds allocated pursuant to § 55-4-215(a)(1) shall be distributed to each of the five (5) Tennessee Councils of the Boy Scouts of America in proportion to the number of such license plates sold in the counties which comprise each such council, such councils being currently known as Cherokee Area Council, Chattanooga and surrounding counties; Great Smoky Mountain Council, Knoxville and surrounding counties; Middle Tennessee Council, Nashville and surrounding counties; Sequoyah Council, northeast Tennessee including the Tri-Cities; and West Tennessee Area Council, Memphis and surrounding counties. Such funds shall be used exclusively to fund and support scouting programs and activities.

(2) Prior to initial issuance of new specialty earmarked license plates authorized by this section, each council of the Tennessee Councils of the Boy Scouts of America shall notify the department of each county comprising such council.

(d) The provisions of § 55-4-201(f) shall not apply to the new specialty license plates authorized by this section.

On motion, Amendment No. 2 was adopted.

Thereupon, **Senate Bill No. 2870**, as amended, passed its third and final consideration by the following vote:

Ayes .....	33
Noes .....	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.



A motion to reconsider was tabled.

**Senate Bill No. 954** -- Transportation, Dept. of -- As introduced, revises duties of the commissioner to require the estimated dollar amount needed to implement the long-range and coordinated statewide transportation plan be reported to the general assembly every year or more frequently as the commissioner may determine. Amends TCA Title 4; Title 9; Title 47; Title 54; Title 55 and Title 65.

On motion, Senate Bill No. 954 was made to conform with **House Bill No. 1323**.

On motion, House Bill No. 1323, on same subject, was substituted for Senate Bill No. 954.

On motion of Senator Tracy, Amendment No. 1 was withdrawn.

Senator Ketron moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by deleting Section 2 of the bill as amended and by substituting instead the following language:

SECTION 2. For purposes of rulemaking, Section 1 of this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, Section 1 of this act shall take effect March 1, 2011, the public welfare requiring it.

AND FURTHER AMEND by adding the following language immediately after Section 2 of the bill as amended:

SECTION 3. Tennessee Code Annotated, Section 55-18-101, is amended by deleting the present language in its entirety and by substituting instead the following:

"Automobile club or association", as used in this chapter, means any individual or entity, who in consideration of fees, dues, periodic payments, or other specifically stated charges, promises its members to provide automobile club services.

SECTION 4. Tennessee Code Annotated, Section 55-18-102, is amended by deleting the present language in its entirety and by substituting instead the following language:

As used in this chapter, unless the context otherwise requires:

(1) "Automobile club service" is the rendering or procuring of, or reimbursement for, service that may be provided to a member related to travel and the operation, use and maintenance of a motor vehicle, including, but not limited to:

- (A) Bail bond service;
- (B) Buying and selling service;
- (C) Discount service;
- (D) Emergency road service;

- (E) Financial service;
- (F) Insurance service;
- (G) Legal service;
- (H) Map service;
- (I) Theft service;
- (J) Touring service;
- (K) Towing service;
- (L) Trip interruption service; and
- (M) Other services as may be authorized by the commissioner;

(2) "Bail bond service" means any act by an automobile club or association the purpose of which is to furnish to, or procure for, any person accused of violation of any law of this state, a cash deposit, bond or other undertaking required by law in order that the accused might enjoy personal freedom pending trial;

(4) "Buying and selling service" means any act by an automobile club or association whereby the member of any automobile club or association is aided in any way in the purchase or sale of an automobile or the purchase or sale of any accessories or equipment related to automobiles or travel, or any purchase of travel services;

(5) "Commissioner" means the Commissioner of Commerce and Insurance;

(6) "Discount service" means any act by an automobile club or association resulting in the giving of special discounts, rebates or reductions of price on gasoline, oil, repairs, parts, accessories or service for motor vehicles or other goods and services, to members of any automobile club or association;

(7) "Emergency road service" means any act by an automobile club or association consisting of the fuel delivery, extrication, lockout service, repair, replacement or other adjustment of the equipment, tires or mechanical parts of an automobile so as to permit it to be operated under its own power;

(8) "Financial service" means any act by an automobile club or association whereby loans or other financial services such as stored value cards, deposit products, or advances of money, with or without security, are made or provided to or arranged for members of any automobile club association;

(9) "Insurance service" means the selling or giving by an automobile club or association to a member, of a policy of accident insurance covering liability or loss by a member as the result of death or personal injury or loss of or damage to the personal property of the member, or the selling of a hospital indemnity policy. The commissioner shall have the discretion to approve other services under this part if the feature, benefit or service is obtained by the automobile club or association from an insurance company in this state;

(10) "Legal service" means any act by an automobile club or association consisting of the hiring, retaining, engaging or appointing of an attorney or other person to give professional advice to, or represent, a member of any automobile club or association, in any court, as the result of liability incurred by the right of action accruing to the member as a result of the ownership, operation, use or maintenance of a motor vehicle;

(11) "Map service" means any act by an automobile club or association by which road maps are furnished with or without cost to members of any automobile club or association;

(12) "Other services" means additional services furnished by an automobile club or association which augment or are incidental to any service performed by the automobile club or association as authorized under the provisions of this chapter or any other service which is of assistance and is beneficial to its members and is feasible for the automobile club to render; provided, that such service is authorized by the commissioner;

(13) "Theft service" means any act by an automobile club or association the purpose of which is to locate, identify or recover a motor vehicle owned or controlled by a member of any automobile club or association, which has been, or may be, stolen or to detect or apprehend the person guilty of the theft;

(14) "Trip interruption service" means the provision of or reimbursement for travel expenses, including food, lodging, and transportation to the member's intended destination if the member's motor vehicle is stolen or is rendered inoperable due to an accident, theft, or mechanical breakdown;

(15) "Touring service" shall include any act by an automobile club or association by which touring information is furnished with or without cost to members of any automobile club or association or the making of arrangements or reservations for lodging or the travel space, discounts for accommodations or vehicle rental, procurement of tickets or permits for travel to any place in the world for a member of any automobile club or association; and

(16) "Towing service" means any act by an automobile club or association consisting of the drafting or moving of a motor vehicle from one (1) place to another under other than its own power.

SECTION 5. Tennessee Code Annotated, Section 55-18-103, is amended by deleting the present language in its entirety and by substituting instead the following:

(a) The commissioner has full and complete authority to grant certificates of authorization to automobile clubs and associations, to revoke or suspend the certificates in accordance with the Uniform Administrative Procedures Act, to promulgate rules and regulations, and to determine other services an automobile club or association may provide to its members.

(b) In determining if a certificate of authorization shall be issued, the commissioner shall take into consideration, together with all other factors, the name of the automobile club or association and, if the name will interfere with the

transactions of an automobile club or association already doing business in this state or is so similar to one already appropriated as to confuse or is likely to mislead the public in any respect, the commissioner shall refuse to issue a certificate of authorization.

(c) The commissioner also has the authority to conduct hearings and to promulgate rules and regulations in accordance with the Uniform Administrative Procedures Act, §§ 4-5-101, et seq., for the administration of this chapter.

SECTION 6. Tennessee Code Annotated, Section 55-18-105(a), is amended by deleting "Within thirty (30) days after July 15, 2001" and by substituting instead "Annually".

SECTION 7. Tennessee Code Annotated, Section 55-18-106, is amended by deleting such section in its entirety and by substituting instead the following:

Section 55-18-106. Before any agent or representative may sell, solicit or negotiate membership in an automobile club or association in Tennessee, the agent or representative shall first apply to the commissioner for a license, and the commissioner shall have the full power and authority to issue the license upon proof satisfactory to the commissioner that the person is capable of soliciting automobile club or association memberships, and is of good moral character and recommended by the club or association in behalf of which the membership solicitations are made. No license shall be issued by the commissioner until the applicant has paid to the commissioner an annual license fee of twenty dollars (\$20.00).

SECTION 8. Tennessee Code Annotated, Section 55-18-107, is amended by substituting "or entity" for ", firm, association, copartnership, corporation, company or other organization" wherever such language appears.

SECTION 9. Sections 3 through 8 inclusive of this act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Thereupon, **House Bill No. 1323**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	32
Noes . . . . .	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

#### FURTHER ACTION ON SENATE BILL NO. 2626

Senator Tracy moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

**MONDAY, MAY 24, 2010 -- 88TH LEGISLATIVE DAY**

Senator Faulk moved that Amendment No. 2 be placed at the heel of the Amendments, which motion prevailed.

Senator Faulk moved to amend as follows:

**AMENDMENT NO. 3**

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-4-225, is amended in subsection (e) by designating the present language as new subdivision (1) and by adding the following language as new subdivision (2):

(2) Former members of the general assembly are entitled to request special purpose plates for automobiles owned by a former member of the general assembly unless such former member has been convicted in any court of this state, or in any federal court, of a felony arising out of the former member's official capacity as a member of the general assembly. Any such former member shall comply with all applicable state motor vehicle laws, and pay all applicable fees, relating to registration and licensing of motor vehicles. Such additional plates shall be distinguished by the addition of a retired decal and a legend that does not exceed the requirements of this section.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.

Pursuant to Rule 39(3), Amendment No. 3 was adopted by the following vote:

Ayes . . . . .	21
Noes . . . . .	3
Present, not voting . . .	2

Senators voting aye were: Barnes, Beavers, Black, Bunch, Burchett, Crowe, Faulk, Ford, Gresham, Harper, Henry, Johnson, Kelsey, Ketron, Kyle, Overbey, Southerland, Tracy, Watson, Yager and Mr. Speaker Ramsey--21.

Senators voting no were: Burks, Haynes and Marrero--3.

Senators present and not voting were: McNally and Woodson--2.

On motion of Senator Tracy, Amendment No. 1 was withdrawn.

On motion of Senator Faulk, Amendment No. 2 was withdrawn.

Thereupon, **Senate Bill No. 2626**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	17
Noes . . . . .	8
Present, not voting . . .	4

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Senators voting aye were: Barnes, Beavers, Black, Bunch, Crowe, Faulk, Gresham, Harper, Johnson, Ketron, Norris, Overbey, Southerland, Tracy, Watson, Yager and Mr. Speaker Ramsey--17.

Senators voting no were: Burchett, Burks, Henry, Herron, Kelsey, Marrero, McNally and Woodson--8.

Senators present and not voting were: Ford, Haynes, Jackson and Kyle--4.

A motion to reconsider was tabled.

**Senate Bill No. 2900** -- Fines and Penalties -- As introduced, increases blood alcohol or drug concentration test (BADT) fee from \$100 to \$250, and adds to present offenses mandating such fine conviction of reckless driving or simple possession or casual exchange of controlled substance. Amends TCA Title 55, Chapter 10, Part 4.

Senator Black declared Rule 13 on **Senate Bill No. 2900**.

On motion, Senate Bill No. 2900 was made to conform with **House Bill No. 3543**.

On motion, House Bill No. 3543, on same subject, was substituted for Senate Bill No. 2900.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3543** passed its third and final consideration by the following vote:

Ayes . . . . .	22
Noes . . . . .	6

Senators voting aye were: Barnes, Berke, Burchett, Burks, Crowe, Faulk, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, McNally, Overbey, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--22.

Senators voting no were: Beavers, Black, Finney, Ford, Marrero and Tracy--6.

A motion to reconsider was tabled.

**Senate Bill No. 2901** -- Fines and Penalties -- As introduced, increases mandatory drug testing fee from \$100 to \$250 and additionally imposes fine on granting of pretrial or judicial diversion. Amends TCA Title 39, Chapter 17, Part 4.

Senator Black declared Rule 13 on **Senate Bill No. 2901**.

On motion, Senate Bill No. 2901 was made to conform with **House Bill No. 3538**.

On motion, House Bill No. 3538, on same subject, was substituted for Senate Bill No. 2901.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

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Thereupon, **House Bill No. 3538** passed its third and final consideration by the following vote:

Ayes . . . . . 25  
Noes . . . . . 3

Senators voting aye were: Barnes, Beavers, Berke, Bunch, Burchett, Burks, Crowe, Faulk, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--25.

Senators voting no were: Black, Ford and Marrero--3.

A motion to reconsider was tabled.

**Senate Bill No. 2902** -- Tennessee Bureau of Investigation -- As introduced, designates fees for certain laboratory procedures conducted by the TBI and allocates proceeds from such fees to a fund for use by the bureau. Amends TCA Title 38, Chapter 6.

Senator Black declared Rule 13 on **Senate Bill No. 2902**.

On motion, Senate Bill No. 2902 was made to conform with **House Bill No. 3537**.

On motion, House Bill No. 3537, on same subject, was substituted for Senate Bill No. 2902.

Senator Beavers moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

On motion of Senator McNally, Amendment No. 2 was withdrawn.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3537** passed its third and final consideration by the following vote:

Ayes . . . . . 23  
Noes . . . . . 4

Senators voting aye were: Barnes, Berke, Burchett, Burks, Crowe, Faulk, Ford, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--23.

Senators voting no were: Beavers, Black, Marrero and Tracy--4.

A motion to reconsider was tabled.

**Senate Bill No. 2911** -- Highway Patrol -- As introduced, clarifies that motor carrier law enforcement officer who serves 25 years as any law enforcement officer, upon retirement, may retain service firearm. Amends TCA Title 65.

On motion, Senate Bill No. 2911 was made to conform with **House Bill No. 3025**.

**MONDAY, MAY 24, 2010 -- 88TH LEGISLATIVE DAY**

On motion, House Bill No. 3025, on same subject, was substituted for Senate Bill No. 2911.

On motion of Senator Tracy, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3025** passed its third and final consideration by the following vote:

Ayes .....	31
Noes .....	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

**FURTHER ACTION ON HOUSE BILL NO. 2781**

Senator Crowe moved that **House Bill No. 2781** be placed on the Calendar for Thursday, May 27, 2010, which motion prevailed.

**Senate Bill No. 2970** -- DUI/DWI Offenses -- As introduced, broadens substances that may affect central nervous system for purposes of the prohibition against driving under the influence. Amends TCA Title 55, Chapter 10.

On motion, Senate Bill No. 2970 was made to conform with **House Bill No. 3280**.

On motion, House Bill No. 3280, on same subject, was substituted for Senate Bill No. 2970.

Senator Beavers moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-10-401, is amended by deleting the language and substituting instead the following:

§ 55-10-401.

It is unlawful for any person to drive or to be in physical control of any automobile or other motor driven vehicle on any of the public roads and highways of the state, or on any streets or alleys, or while on the premises of any shopping center, trailer park or any apartment house complex, or any other premises that is generally frequented by the public at large, while:

(1) Under the influence of any intoxicant, marijuana, controlled substance, drug, substance affecting the central nervous system or combination thereof that impairs to any extent the driver's ability to operate a motor vehicle by depriving the driver of the clearness of mind and control of himself which he would otherwise possess; or



(2) The alcohol concentration in the person's blood or breath is eight-hundredths of one percent (.08%) or more.

SECTION 2. This act shall take effect January 1, 2011, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator McNally moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by deleting amendatory § 55-10-401 of Section 1 of the bill as amended and by substituting instead the following:

§ 55-10-401.

It is unlawful for any person to drive or to be in physical control of any automobile or other motor driven vehicle on any of the public roads and highways of the state, or on any streets or alleys, or while on the premises of any shopping center, trailer park or any apartment house complex, or any other premises that is generally frequented by the public at large, while:

(1) Under the influence of any intoxicant, marijuana, controlled substance, drug, substance affecting the central nervous system or combination thereof that impairs the driver's ability to safely operate a motor vehicle by depriving the driver of the clearness of mind and control of himself which he would otherwise possess; or

(2) The alcohol concentration in the person's blood or breath is eight-hundredths of one percent (.08%) or more.

On motion, Amendment No. 2 was adopted.

Thereupon, **House Bill No. 3280**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	29
Noes . . . . .	0
Present, not voting . . .	1

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Tracy, Watson, Woodson and Yager--29.

Senator present and not voting was: Henry--1.

A motion to reconsider was tabled.

**Senate Bill No. 3049** -- State Government -- As introduced, increases from 15 percent to 25 percent the maximum voting interest an insurance company can have in a TNInvestco. Amends TCA Title 4, Chapter 28 and Title 56.

Senator Stewart declared Rule 13 on **Senate Bill No. 3049**.

Senator Johnson moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-28-102(4), is amended by inserting the following language at the end of the subdivision:

provided, however, that a contract for payment of cash or cash equivalents over a specified period of time shall also be sufficient;

SECTION 2. Tennessee Code Annotated, Section 4-28-102(10)(A)(iv), is amended by inserting the following language at the end of the subdivision:

provided, however, that if the TNInvestco continues to fulfill its fiduciary duty to the program established by this chapter, then the business can be one in which the TNInvestco, its affiliates, or a separate fund managed by the managers of the TNInvestco was invested prior to the allocation of investment tax credits to the TNInvestco; and provided, further, that if the TNInvestco continues to fulfill its fiduciary duty to the program established by this chapter, then the business can be one in which a separate fund managed by the managers of the TNInvestco makes an investment after the investment by the TNInvestco;

SECTION 3. Tennessee Code Annotated, Section 4-28-102(10), is amended by redesignating current subdivision (B) as subdivision (C) and by inserting the following language as a new subdivision (B):

(B)(i) The requirements of subdivision (10)(A)(i) may, in the alternative, be met if the qualified TNInvestco represents in its application for funding approval that the business will, in the definitive purchase agreements to be executed upon closing, agree to:

(a) Commence locating its headquarters, its principal business operations, and at least sixty percent (60%) of its employees in Tennessee; and

(b) Complete all of the required elements of subdivision (10)(A)(i) within twelve (12) months after closing.

(ii) If the business fails to fulfill the commitments specified in subdivision (10)(B)(i), then the Commissioner of Economic and Community Development may, in the commissioner's sole discretion, impose on the TNInvestco the following penalty. Notwithstanding subdivision (9) of this section to the contrary, under the penalty authorized by this subdivision (10)(B)(ii), the profit share percentage, as otherwise defined in subdivision (9) of this section, shall be amended such that the fee paid to the state by the

qualified TNInvestco in connection with the business shall equal eighty percent (80%), rather than fifty percent (50%), of any distributions arising from the TNInvestco's investment in the business, other than qualified distributions or distributions or repayments of capital contributions by the TNInvestco's equity owners who are not participating investors;

SECTION 4. Tennessee Code Annotated, Section 4-28-102(11), is amended by deleting the language prior to subdivision (A) in its entirety and by substituting instead the following:

(11) "Qualified distribution" means any distribution or payment by a qualified TNInvestco in connection with the following:

SECTION 5. Tennessee Code Annotated, Section 4-28-102(12), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(12) "Qualified investment" means the investment of cash by a qualified TNInvestco in a qualified business for the purchase of equity, equity options, warrants, or debt convertible to equity. An investment by a qualified TNInvestco in a debt instrument whose terms are substantially equivalent to terms typically found in debt financing provided by banks to profitable companies, such as security interests in tangible assets with readily discernable orderly liquidation value in excess of the loan amount and/or personal guarantees, shall not be deemed as a qualified investment. Qualified investments determined to be seed or early stage investments shall be increased by three hundred percent (300%) for purposes of determining if a qualified TNInvestco meets the investment thresholds in § 4-28-106;

SECTION 6. Tennessee Code Annotated, Section 4-28-103(b), is amended by deleting the subsection in its entirety and by substituting instead the following language:

(b) No participating investor's investment tax credit for any taxable year shall exceed the participating investor's state premium tax liability for such year. If the amount of the investment tax credit determined under this section for any taxable year exceeds the state premium tax liability, then the excess shall be an investment tax credit carryover to future taxable years until tax year 2037. Investment tax credits may be used in connection with both final payments and prepayments of a participating investor's state premium tax liability. Investment tax credits may be sold or otherwise transferred by a participating investor to another entity, which can likewise resell or transfer the tax credits, provided that the Department of Revenue receives written notification within thirty (30) days of any sale or transfer.

SECTION 7. Tennessee Code Annotated, Section 4-28-104, is amended by adding the following language as a new subsection (f):

(f) Proprietary information, provided by an applicant to the Department of Economic and Community Development or the Department of Revenue pursuant to this section on or after July 9, 2009, shall be considered "tax information" as defined in § 67-1-1701 and shall be subject to the provisions of Title 67, Chapter 1, Part 17. For purposes of this subsection, "proprietary information" shall have the same meaning as that term is defined in § 4-3-730.

SECTION 8. Tennessee Code Annotated, Section 4-28-105(d), is amended by deleting the last sentence of the subsection in its entirety.

SECTION 9. Tennessee Code Annotated, Section 4-28-105, is amended by adding the following language as new subsections (f) and (g):

(f) Notwithstanding subsection (d) of this section, the Commissioner of Revenue and the Commissioner of Economic and Community Development are authorized to allocate additional investment tax credits in the total amount of eighty million dollars (\$80,000,000) such that the aggregate amount of investment tax credits to be allocated under this chapter shall not exceed two hundred million dollars (\$200,000,000). Such additional investment tax credits shall consist of four (4) twenty million dollar (\$20,000,000) allocations, which shall be awarded, respectively, to the four (4) TNInvestcos, chosen as finalists by the Commissioner of Revenue and the Commissioner of Economic and Community Development during the selection process set out in subsections (a) through (e) of this section, that did not receive an allocation of investment tax credits under subsection (d). Final allocation of such tax credits to such TNInvestcos shall occur after the TNInvestcos have obtained irrevocable investment commitments from participating investors and TNInvestco owners in an aggregate amount equal to at least the base investment amount.

(g) Proprietary information provided by an applicant to the Department of Economic and Community Development or the Department of Revenue pursuant to this section on or after July 9, 2009, shall be considered "tax information" as defined in § 67-1-1701 and shall be subject to the provisions of Title 67, Chapter 1, Part 17. For purposes of this subsection, "proprietary information" shall have the same meaning as that term is defined in § 4-3-730.

SECTION 10. Tennessee Code Annotated, Section 4-28-106(a)(1), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

(1)(A) To maintain its certification, a qualified TNInvestco shall make qualified investments as follows:

(i) Within two (2) years after the allocation date, a qualified TNInvestco shall have invested an amount equal to at least fifty percent (50%) of its base investment amount in qualified investments;

(ii) Within three (3) years after the allocation date, a qualified TNInvestco shall have invested an amount equal to at least seventy percent (70%) of its base investment amount in qualified investments;

(iii) Within four (4) years after the allocation date, a qualified TNInvestco shall have invested an amount equal to at least eighty percent (80%) of its base investment amount in qualified investments; and

(iv) Within six (6) years or any year thereafter, the allocation date, a qualified TNInvestco shall have invested an amount equal to at least ninety percent (90%) of its base investment amount in qualified investments.

(B) Not more than twenty-five percent (25%) of the investment amounts required by subdivisions (a)(1)(A)(i) through (iv) of this section shall be attributable to the three hundred percent (300%) seed or early stage multiplier.

SECTION 11. Tennessee Code Annotated, Section 4-28-106(c), is amended by deleting the subsection in its entirety and by substituting instead the following:

(c) All designated capital not invested in qualified investments by a qualified TNInvestco shall be held in an escrow account maintained by the state and administered through the Department of Economic and Community Development.

SECTION 12. Tennessee Code Annotated, Section 4-28-106, is amended by adding the following language as new subsections (e) and (f):

(e) Any amounts that have not been invested by the TNInvestco at the end of the investment period shall be forfeited and paid to the state to support the Tennessee rural opportunity fund.

(f) No qualified TNInvestco shall sell any interest in a qualified business to an affiliate unless the TNInvestco has first obtained written authorization for the sale from the Department of Economic and Community Development.

SECTION 13. Tennessee Code Annotated, Section 4-28-110, is amended by adding the following language as a new subsection (d):

(d)(1) For the purposes of this subsection, "key person" means:

(A) The TNInvestco investment managers listed in Part II, Item 6, of such TNInvestco's application under § 4-28-105; or

(B) A list of investment managers as has been previously approved by the Department of Economic and Community Development under subdivision (2) of this subsection or otherwise.

(2) A TNInvestco's success shall be deemed to depend, in particular, on the TNInvestco's key person or persons. On or before July 1, 2010, each qualified TNInvestco shall provide to the Department of Economic and Community Development a description of the TNInvestco's procedure for choosing a successor should any key person die, become legally incapacitated, or cease to be involved in the management of the TNInvestco for more than ninety (90) consecutive days. In the event that a majority of key persons do die, become legally incapacitated, or cease to be involved in the management of the TNInvestco for more than ninety (90) consecutive days for any reason, the Commissioner of Economic and Community Development, in consultation with the Commissioner of Revenue, the Tennessee Technology Development Corporation, or any other appropriate professional advisors, shall determine whether a new individual or individuals will be able to assume the role of key person so that the TNInvestco's performance will remain unimpaired. If the Commissioner of Economic and Community Development

determines, in the commissioner's sole discretion, that the key person cannot be adequately replaced and the TNInvestco's performance therefore will be impaired, then any funds not already invested by the TNInvestco shall be deposited into the general fund unless the Department of Finance and Administration has certified, pursuant to § 4-28-109, that the total amount of payments deposited in the general fund under this chapter equals or exceeds the total amount of revenue forgone pursuant to the credits used as provided in § 4-28-103. If the Department of Finance and Administration has made such a determination, then any funds not already invested by the TNInvestco shall be deposited into the Tennessee rural opportunity fund to further support the state's economic development efforts.

SECTION 14. Tennessee Code Annotated, Title 4, Chapter 28, is amended by adding the following language as a new section:

§ 4-28-113.

(a) Within ninety (90) days after the Department of Economic and Community Development provides notice to a TNInvestco, the Commissioner of Economic and Community Development and the Commissioner of Revenue, working with the TNInvestco, shall cause to be created an investment strategy "scorecard" for the TNInvestco. Said "scorecard" shall contain not more than six (6) objective metrics or measures that will be used to reflect the investment strategy approved by the state, which strategy may, in the sole discretion of the Commissioner of Economic and Community Development, be modified from time to time upon written request of the TNInvestco to the Commissioner of Economic and Community Development.

(b) The Commissioner of Economic and Community Development, in consultation with the Commissioner of Revenue or any other appropriate professional advisors, shall conduct an annual review of each qualified TNInvestco, at the conclusion of each fiscal year, to determine whether the investment strategy used by the TNInvestco is in substantial compliance with the TNInvestco's scorecard.

(c)(1) If the Commissioner of Economic and Community Development reasonably determines that the investment strategy actually used by the TNInvestco is not in substantial compliance with the scorecard, then the Commissioner of Economic and Community Development shall provide the qualified TNInvestco a summary of findings including the areas of noncompliance. Within sixty (60) days of receiving the commissioner's findings, the TNInvestco shall provide to the Commissioner of Economic and Community Development a written statement that shall describe in detail the TNInvestco's plan for curing all areas of noncompliance before the next annual review. Said plan may include a request for modification of the strategy with corresponding changes in the scorecard which, if approved, shall become the scorecard against which future compliance will be measured.

(2) If the Commissioner of Economic and Community Development reasonably determines, at the next annual review conducted pursuant to this section, that the TNInvestco has failed to cure such areas of noncompliance, a penalty in the amount of two-hundred fifty thousand dollars (\$250,000) shall be imposed, and an additional penalty of two-hundred fifty thousand dollars (\$250,000) shall be imposed for each year in which such noncompliance remains uncured.

(3) The proceeds from any penalty imposed pursuant to subdivision (2) of this subsection shall be deposited into the Tennessee rural opportunity fund to further the state's economic development efforts. Such penalty shall not be paid out of monies generated by the sale of investment tax credits under this chapter or any gain thereon.

SECTION 15. Tennessee Code Annotated, Section 4-28-102(11)(E), is amended by deleting the language "Payments to participating investors" and by substituting instead the language "Payments to the TNInvestco's equity owners who are not participating investors".

SECTION 16. Tennessee Code Annotated, Section 4-28-110, is amended by adding the following as a new, appropriately designated subsection:

( ) To promote openness and transparency, a copy of each annual report received by the Department of Economic and Community Development pursuant to this section shall be posted on the Tennessee TNInvestco Web site that is maintained by the Department of Economic and Community Development.

SECTION 17. Tennessee Code Annotated, Section 4-28-111, is amended by adding the following as a new subsection:

(c) The Department of Economic and Community Development shall provide the comptroller of the treasury, upon request, a copy of any written findings made in connection with the annual review required under subsection (a) and a copy of the summary of findings provided to the qualified TNInvestco pursuant to subsection (b).

SECTION 18. Tennessee Code Annotated, Section 4-28-112, is amended by deleting the following language:

The Department of Economic and Community Development must make an annual report to the governor and the chairs and ranking minority members of the committees having jurisdiction over taxes and economic development.

and by substituting instead the following language:

The Department of Economic and Community Development shall make an annual report to the governor, the comptroller of the treasury, the state treasurer, and the chairs and ranking minority members of the committees having jurisdiction over taxes and economic development.

SECTION 19. Tennessee Code Annotated, Section 4-28-112, is amended by designating the current language as subsection (a) and by adding the following as a new subsection (b):

(b) To promote openness and transparency, a copy of each annual report made by the Department of Economic and Community Development pursuant to this section shall be posted on the Tennessee TNInvestco Web site that is maintained by the Department of Economic and Community Development.

SECTION 20. Tennessee Code Annotated, Section 4-28-113, is amended by adding the following as a new subsection:

(d) The Department of Economic and Community Development shall provide the comptroller of the treasury, upon request, a copy of any written findings made in connection with the annual review required under subsection (b).

SECTION 21. Tennessee Code Annotated, Title 4, Chapter 28, is amended by adding the following as a new, appropriately designated section:

4-28-\_\_\_\_.

(a) Any qualified TNInvestco that has received an allocation of investment tax credits pursuant to this chapter shall be required to maintain a Web site that provides information to the general public about the biographical and professional background of each member of the executive management team of the TNInvestco and of each member of the board or other governing body of the TNInvestco. The qualified TNInvestco shall also provide information to the general public on its Web site concerning the availability of capital pursuant to the program established by this chapter.

(b) The Department of Economic and Community Development shall maintain at least one Web page that provides information to the general public about the TNInvestco program, including internet links to the Web sites of each qualified TNInvestco. Each qualified TNInvestco shall maintain an internet link on its Web site to the TNInvestco program Web page of the Department of Economic and Community Development.

SECTION 22. Tennessee Code Annotated, Section 4-28-113(a), is amended by deleting the language "the commissioner of economic development and the Commissioner of Revenue," and by substituting instead the following:

the Commissioner of Economic Development and the Commissioner of Revenue, in consultation with the state treasurer,

SECTION 23. Tennessee Code Annotated, Section 4-28-113(b), is amended by deleting the language ", in consultation with the Commissioner of Revenue" and by substituting instead the following:

, in consultation with the Commissioner of Revenue and the state treasurer,

SECTION 24. This act shall take effect upon becoming a law and shall apply to any entity certified as a TNInvestco, and to tax credits awarded, on or after July 9, 2009, the public welfare requiring it.



**MONDAY, MAY 24, 2010 -- 88TH LEGISLATIVE DAY**

On motion of Senator Beavers, Amendment No. 1 to Amendment No. 1 was withdrawn.

On motion, Amendment No. 1 was adopted.

Senator Black moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by adding the following new section immediately preceding the last section of the bill as amended by amendment (drafting # 1713233) and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_ Tennessee Code Annotated, Section 4-28-106(b), is amended by deleting the subsection in its entirety and by substituting instead the following language:

(b) Prior to making a proposed qualified investment in a specific business, a qualified TNInvestco must request from the Department of Economic and Community Development a written determination that the proposed investment will qualify as a qualified investment in a qualified business or, if applicable, a seed or early stage investment. The department shall notify a qualified TNInvestco within ten (10) business days from the receipt of a request of its determination of approval or disapproval. If the department fails to notify the qualified TNInvestco of its determination of approval or disapproval within ten (10) business days, the proposed investment will be deemed denied by the department.

Senator Overbey moved that Amendment No. 2 go to the table, which motion prevailed.

Senator McNally moved to amend as follows:

**AMENDMENT NO. 3**

AMEND by deleting in its entirety subsection (f) in Section 7 of the bill as amended by amendment drafting code # 1713233 and by substituting instead the following:

(f)(1) Any information received, created, or promulgated by the Department of Economic and Community Development or the Department of Revenue pursuant to this section on or after July 9, 2009, shall constitute a public record, as defined in § 10-7-503, and shall be open for personal inspection by any citizen of this state.

(2) Any information received, created, or promulgated by the Department of Economic and Community Development or the Department of Revenue pursuant to this section shall not:

(A) Constitute "tax information" or "tax administration information", as defined in § 67-1-1701, and shall not be subject to the provisions of Title 67, Chapter 1, Part 17; or

(B) Be subject to the provisions of § 4-3-730.

AND FURTHER AMEND by deleting Section 9 of the bill as amended by amendment drafting code # 1713233 and substituting instead the following:

SECTION 9. Tennessee Code Annotated, Section 4-28-105, is amended by adding the following language as a new subsection (f):

(f) Notwithstanding subsection (d) of this section, the Commissioner of Revenue and the Commissioner of Economic and Community Development are authorized to allocate additional investment tax credits in the total amount of eighty million dollars (\$80,000,000) such that the aggregate amount of investment tax credits to be allocated under this chapter shall not exceed two hundred million dollars (\$200,000,000). Such additional investment tax credits shall consist of four (4) twenty million dollar (\$20,000,000) allocations, which shall be awarded, respectively, to the four (4) TNInvestcos, chosen as finalists by the Commissioner of Revenue and the Commissioner of Economic and Community Development during the selection process set out in subsections (a) through (e) of this section, that did not receive an allocation of investment tax credits under subsection (d). Final allocation of such tax credits to such TNInvestcos shall occur after the TNInvestcos have obtained irrevocable investment commitments from participating investors and TNInvestco owners in an aggregate amount equal to at least the base investment amount. The tax credits awarded pursuant to this section shall be syndicated in a manner approved by the state treasurer and the Commissioner of Economic and Community Development. Any contract to sell tax credits, entered on or after the effective date of this act, in a manner that has not been approved by the state treasurer and the Commissioner of Economic and Community Development shall be voidable in the sole discretion of the state treasurer.

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 4-28-102(10)(A)(iii)(f), is amended by deleting the language "Direct gambling activities" and by substituting instead the language "Gambling activities".

On motion, Amendment No. 3 was adopted.

Senator Black moved to amend as follows:

**AMENDMENT NO. 4**

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Title 4, Chapter 28, Part 1, is amended by adding the following language as a new, appropriately designated section thereto:

§ 4-28-1\_\_\_\_.

(a) No constitutional officer, elected official in the executive branch, member of the governor's cabinet, or cabinet-level staff within the governor's office who ceases service or employment with the state on or after June 1, 2010, shall knowingly accept or receive compensation for services rendered to a qualified TNInvestco within twelve (12) months after such person ceases employment with the state.

(b) The attorney general and reporter may bring an action in the name of the state seeking injunctive relief in the chancery court of Davidson County to restrain any person from violating subsection (a).

(c)(1)(A) If the court finds that any constitutional officer, elected official in the executive branch, member of the governor's cabinet, or cabinet-level staff within the governor's office has violated subsection (a), the court shall order such person to pay the state a civil penalty of two hundred percent (200%) of the value of any compensation received in violation of subsection (a).

(B) In addition to the penalty set out in subdivision (c)(1)(A), if the court finds that a qualified TNInvestco knowingly offered or provided compensation for services rendered to a constitutional officer, elected official in the executive branch, member of the governor's cabinet, or cabinet-level staff within the governor's office in violation of subsection (a), the qualified TNInvestco shall pay the state a civil penalty of two hundred percent (200%) of the value of any compensation provided to such person in violation of subsection (a).

(2) In addition to any other penalty set out in this section, upon a court finding that a person violated subsection (a), the court may also order reimbursement to the state for the reasonable costs and expenses of investigation and prosecution of violations of this section, including attorneys' fees.

(d) For purposes of this section, "compensation" means any salary, fee, payment, reimbursement or other valuable consideration, or any combination thereof.

Senator Overbey moved that Amendment No. 4 go to the table, which motion prevailed.

Senator Beavers moved to amend as follows:

#### **AMENDMENT NO. 5**

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. There is created a special joint committee to study the Tennessee Small Business Investment Company Credit Act. The committee shall thoroughly review all aspects of the Act's implementation and shall evaluate the desirability of expanding the TNInvestco program.

SECTION 2. The committee shall consist of three (3) members of the House of Representatives and three (3) members of the Senate, to be appointed by the respective speakers.

SECTION 3. All appropriate state agencies shall provide assistance to the special joint committee upon request of the chair.

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SECTION 4. All legislative members of the special joint committee who are duly elected members of the general assembly shall remain members of such committee until the committee reports its findings and recommendations to the general assembly.

SECTION 5. The special joint committee shall be convened by the member with the most years of continuous service in the general assembly, and at its first meeting shall elect a chair, vice-chair, and such other officers the committee deems necessary.

SECTION 6. The special joint committee shall timely report its findings and recommendations, including any proposed legislation, to the One Hundred Seventh General Assembly no later than February 1, 2011, at which time the committee shall cease to exist.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Overbey moved that Amendment No. 5 go to the table, which motion prevailed by the following vote:

Ayes .....	23
Noes .....	9

Senators voting aye were: Barnes, Berke, Burks, Crowe, Faulk, Finney, Ford, Harper, Haynes, Henry, Jackson, Kelsey, Ketron, Kyle, Marrero, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson and Yager--23.

Senators voting no were: Beavers, Black, Burchett, Gresham, Herron, Johnson, McNally, Tracy and Mr. Speaker Ramsey--9.

Senator Johnson moved that Amendment No. 6 be placed behind Amendment No. 7, which motion prevailed.

Senator Johnson moved to amend as follows:

**AMENDMENT NO. 7**

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 4-28-109, is amended by adding the following language as a new, appropriately designated subsection:

( ) Following the seventh anniversary of the fund, if any distribution, excluding qualified distributions, will reduce the base investment amount, the TNInvestco shall first make a distribution to the state in an amount equal to any such reduction in the base investment amount, prior to making such other distributions, unless no further assets are available.

Senator Overbey moved that Amendment No. 7 go to the table, which motion prevailed.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 6

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 4-28-109, is amended by adding the following language as a new, appropriately designated subsection:

( ) (1) Following the seventh anniversary of the fund, if any distribution, excluding qualified distributions, will reduce the base investment amount, the TNInvestco shall first make a distribution to the state in an amount equal to any such reduction in the base investment amount, prior to making such other distributions, unless no further assets are available.

(2) This subsection shall only apply to any TNInvestco receiving tax credit allocations pursuant to § 4-28-105(f).

Senator Overbey moved that Amendment No. 6 go to the table, which motion prevailed.

Thereupon, **Senate Bill No. 3049**, as amended, passed its third and final consideration by the following vote:

Ayes .....	24
Noes .....	8

Senators voting aye were: Barnes, Berke, Bunch, Burks, Crowe, Faulk, Finney, Ford, Harper, Haynes, Henry, Herron, Jackson, Kelsey, Ketron, Kyle, Marrero, Overbey, Southerland, Stewart, Tate, Watson, Woodson and Yager--24.

Senators voting no were: Beavers, Black, Burchett, Gresham, Johnson, McNally, Tracy and Mr. Speaker Ramsey--8.

A motion to reconsider was tabled.

**Senate Bill No. 3059** -- Depositions -- As introduced, provides that an election to void a deposition because it was taken before a prohibited person must be made within one year of the date the violation occurred regardless of when the violation was discovered. Amends TCA Section 24-9-136.

Senator Kelsey declared Rule 13 on **Senate Bill No. 3059**.

Senator Berke declared Rule 13 on **Senate Bill No. 3059**.

On motion, Senate Bill No. 3059 was made to conform with **House Bill No. 3380**.

On motion, House Bill No. 3380, on same subject, was substituted for Senate Bill No. 3059.

Senator Beavers moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Kelsey moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 24-9-136, is amended by deleting subdivision (a)(3) and by substituting instead the following:

(3) An employee of one (1) of the parties or of an attorney for one (1) of the parties. As used in this subdivision, "employee" includes a person who has a contractual relationship with a person or entity interested in the outcome of the litigation, including anyone who may ultimately be responsible for payment to provide reporting or other court services, and a person who is employed part-time or full-time under contract or otherwise by a person who has a contractual relationship with a party to provide reporting or other court services; provided, however, that this subdivision shall not restrict in any way the ability of an attorney or a pro se litigant to hire court reporting services on a case-by-case basis in any case where the attorney is not a party, nor restrict an attorney from reimbursement for such court reporting services;

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3380**, as amended, passed its third and final consideration by the following vote:

Ayes .....	31
Noes .....	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

**Senate Bill No. 3096** -- Food and Food Products -- As introduced, requires country of origin labeling of catfish and catfish products. Amends TCA Title 53.

On motion, Senate Bill No. 3096 was made to conform with **House Bill No. 3136**.

On motion, House Bill No. 3136, on same subject, was substituted for Senate Bill No. 3096.

Senator Johnson moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

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Senator McNally moved that Amendment No. 2 be placed at the heel of the Amendments, which motion prevailed.

Senator McNally moved to amend as follows:

**AMENDMENT NO. 3**

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 53, Chapter 1, Part 1, is amended by adding a new section thereto:

§ 53-1-116.

Any food service establishment, as defined in § 68-14-302, that sells catfish or catfish products that have been imported from outside the United States shall label such products as "imported" on the menu.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.

On motion, Amendment No. 3 was adopted.

On motion of Senator Johnson, Amendment No. 1 was withdrawn.

On motion of Senator McNally, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 3136**, as amended, passed its third and final consideration by the following vote:

Ayes ..... 32  
Noes ..... 1

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

Senator voting no was: Kelsey--1.

A motion to reconsider was tabled.

**MOTION**

Senator Yager moved that Rule 37 be suspended for the immediate consideration of **Senate Joint Resolution No. 1255**, out of order, which motion prevailed.

**RESOLUTION LYING OVER**

**Senate Joint Resolution No. 1255** -- Memorials, Death -- Calvin Houston Cheek.

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On motion of Senator Yager, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 1255** was adopted.

**RECESS**

Senator Norris moved the Senate stand in recess for five minutes, which motion prevailed.

**CALL TO ORDER**

The Senate was called to order by Mr. Speaker Ramsey.

**ROLL CALL**

The Speaker declared that a quorum was present.

On motion, the roll call was dispensed with.

**MOTION**

Senator Finney moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 1342**, out of order, which motion prevailed.

**RESOLUTION LYING OVER**

**House Joint Resolution No. 1342** -- Memorials, Retirement -- John T. Price.

On motion of Senator Finney, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 1342** was concurred in.

**MOTION**

Senator Finney moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 1343**, out of order, which motion prevailed.

**RESOLUTION LYING OVER**

**House Joint Resolution No. 1343** -- Memorials, Retirement -- Kenneth Smithson.

On motion of Senator Finney, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 1343** was concurred in.

**MOTION**

Senator Gresham moved that **House Bill No. 670**, as amended, be considered next, out of order.



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Senator Kyle moved that **House Bill No. 670**, as amended, be placed first on the Calendar for Thursday, May 27, 2010, which motion failed by the following vote:

Ayes .....	14
Noes .....	19

Senators voting aye were: Barnes, Berke, Burks, Finney, Ford, Harper, Haynes, Henry, Herron, Jackson, Kyle, Marrero, Stewart and Tate--14.

Senators voting no were: Beavers, Black, Bunch, Burchett, Crowe, Faulk, Gresham, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Southerland, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--19.

### MOTION

Senator Gresham moved that **House Bill No. 670**, as amended, be considered next, out of order, which motion prevailed by the following vote:

Ayes .....	19
Noes .....	14

Senators voting aye were: Beavers, Black, Bunch, Burchett, Crowe, Faulk, Gresham, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Southerland, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--19.

Senators voting no were: Barnes, Berke, Burks, Finney, Ford, Harper, Haynes, Henry, Herron, Jackson, Kyle, Marrero, Stewart and Tate--14.

### CALENDAR

**House Bill No. 670** -- Criminal Procedure -- As introduced, requires a keeper of a jail to notify the Department of Homeland Security by facsimile transmission or other means of prisoners whose citizenship status in this country cannot be determined at time of arrest from documents in the prisoner's possession or if person is in this country illegally. Amends TCA Title 40, as amended.

Senator Yager moved that the Senate reconsider its action in adopting Senate Amendment No. 15 to **House Bill No. 670**, as amended, which motion prevailed.

Senator Yager moved that Senate Amendment No. 15 to **House Bill No. 670**, as amended, be withdrawn, which motion prevailed.

Mr. Speaker Ramsey moved that Amendment No. 21 be placed at the heel of the Amendments, which motion prevailed.

On motion of Senator Black, Amendment No. 22 was withdrawn.

Senator Overbey moved to amend as follows:

### AMENDMENT NO. 23

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not apply in counties having a population, according to the 2000 federal census or any subsequent federal census of:

not less than  
105,800  
71,100

nor more than  
105,900  
71,200

On motion, Amendment No. 23 was adopted.

Senator Black moved to amend as follows:

**AMENDMENT NO. 24**

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 7, Part 1, is amended by adding a new section thereto:

§ 40-7-123.

(a) The Tennessee Peace Officer Standards and Training Commission shall develop a standardized written procedure for verifying the citizenship status of individuals who are arrested, booked, or confined for any period in a county or municipal jail or detention facility and report to the appropriate federal officials those individuals who may be in violation of the Immigration and Naturalization Act, as compiled in 8 U.S.C. §1101, et seq.

(b) When a person is arrested, booked or confined for any period in the jail of the county or any municipality, the keeper of the jail shall utilize the above-referenced procedure to verify the citizenship status of each arrested, booked, or otherwise confined individual and report those individuals who are determined to be in violation of the Immigration and Naturalization Act, as compiled in 8 U.S.C. § 1101, et seq., to the appropriate federal officials.

(c) The provisions of this section shall not apply to any county or municipality that has entered into and is operating under a memorandum of understanding with the United States Department of Homeland Security concerning enforcement of federal immigration laws.

SECTION 2. This act shall take effect on January 1, 2011, the public welfare requiring it.

Senator Black moved to amend as follows:

**AMENDMENT NO. 1 TO AMENDMENT NO. 24**

AMEND by deleting subsection (b) of § 40-7-123, as amended, and by substituting instead the following language:

(b) When a person is arrested, booked or confined for any period in the jail of the county or any municipality, the keeper of the jail shall utilize the above-referenced procedure to verify the citizenship status of each arrested, booked, or otherwise confined individual and

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report those individuals to the appropriate federal officials if the keeper of the jail determines that the individual is in violation of the Immigration and Naturalization Act, as compiled in 8 U.S.C. § 1101, et seq., or if such status cannot be determined.

Pursuant to Rule 39(3), Amendment No. 1 to Amendment No. 24 was adopted by the following vote:

Ayes .....	21
Noes .....	8
Present, not voting ...	2

Senators voting aye were: Beavers, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Gresham, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Southerland, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--21.

Senators voting no were: Berke, Ford, Harper, Haynes, Herron, Kyle, Marrero and Tate--8.

Senators present and not voting were: Henry and Jackson--2.

On motion of Senator Kelsey, Amendment No. 2 to Amendment No. 24 was withdrawn.

Senator Kelsey moved to amend as follows:

**AMENDMENT NO. 3 TO AMENDMENT NO. 24**

AMEND by adding the following as a new, appropriately designated subsection in Section 1 of the bill as amended:

( ) The provisions of this section shall not apply to any county or municipality while it participates in the U.S. Immigration and Customs Enforcement Criminal Alien Program (CAP) or the state Criminal Alien Assistance Program.

Pursuant to Rule 39(3), Amendment No. 3 to Amendment No. 24 was adopted by the following vote:

Ayes .....	20
Noes .....	1
Present, not voting ...	3

Senators voting aye were: Beavers, Black, Bunch, Burchett, Crowe, Faulk, Gresham, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Southerland, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--20.

Senator voting no was: Marrero--1.

Senators present and not voting were: Ford, Haynes and Henry--3.

On motion, Amendment No. 24, as amended, was adopted by the following vote:

Ayes .....	24
Noes .....	8

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Senators voting aye were: Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Gresham, Herron, Jackson, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Southerland, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--24.

Senators voting no were: Barnes, Ford, Harper, Haynes, Henry, Kyle, Marrero and Tate--8.

Senator Beavers moved to amend as follows:

**AMENDMENT NO. 25**

AMEND by deleting the language "appropriate federal officials" wherever it appears in the amendatory language of Section 1 of Senate Amendment No. 24 with drafting code (# 018939) and substituting instead the language "appropriate Immigration and Customs Enforcement Detention and Removal Operations field office".

On motion, Amendment No. 25 was adopted.

On motion of Senator Kyle, Amendment No. 26 was withdrawn.

Senator Overbey moved to amend as follows:

**AMENDMENT NO. 27**

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not apply in counties having a population, according to the 2000 federal census or any subsequent federal census of:

<u>not less than</u>	<u>nor more than</u>
105,800	105,900
71,100	71,200

Pursuant to Rule 39(3), Amendment No. 27 was adopted by the following vote:

Ayes . . . . .	19
Noes . . . . .	6
Present, not voting . . .	2

Senators voting aye were: Barnes, Berke, Burchett, Crowe, Faulk, Ford, Harper, Haynes, Henry, Herron, Johnson, Kyle, Marrero, McNally, Overbey, Southerland, Tate, Woodson and Mr. Speaker Ramsey--19.

Senators voting no were: Beavers, Black, Gresham, Ketron, Tracy and Watson--6.

Senators present and not voting were: Bunch and Kelsey--2.

On motion of Senator Herron, Amendment No. 21 was withdrawn.

Senator Barnes moved to amend as follows:

**AMENDMENT NO. 28**

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not apply in any county having a population of not less than 134,700 nor more than 134,800 according to the 2000 federal census or any subsequent federal census.

Pursuant to Rule 39(3), Amendment No. 28 was adopted by the following vote:

Ayes .....	19
Noes .....	6

Senators voting aye were: Barnes, Berke, Burchett, Crowe, Faulk, Finney, Ford, Harper, Haynes, Henry, Herron, Johnson, Kyle, Marrero, Overbey, Southerland, Tate, Woodson and Mr. Speaker Ramsey--19.

Senators voting no were: Beavers, Black, Gresham, Kelsey, Ketron and Tracy--6.

Senator Barnes moved to amend as follows:

**AMENDMENT NO. 29**

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not apply in counties having a population, according to the 2000 federal census or any subsequent federal census of:

<u>not less than</u>	<u>nor more than</u>
35,900	36,000
8,050	8,100

Pursuant to Rule 39(3), Amendment No. 29 was adopted by the following vote:

Ayes .....	20
Noes .....	8

Senators voting aye were: Barnes, Berke, Bunch, Burchett, Crowe, Faulk, Finney, Ford, Harper, Haynes, Henry, Herron, Johnson, Kyle, Marrero, Overbey, Southerland, Tate, Woodson and Mr. Speaker Ramsey--20.

Senators voting no were: Beavers, Black, Gresham, Kelsey, Ketron, McNally, Tracy and Watson--8.

Senator Gresham moved that **House Bill No. 670**, as amended, be placed first on the Calendar for Thursday, May 27, 2010, which motion prevailed.

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**MOTION**

Senator Norris moved that Rule 83(3) be suspended for the purpose of allowing the Committee on Finance, Ways and Means to meet Tuesday, May 25, 2010; furthermore, any bill recommended by the committee shall be placed on the Regular Calendar for Thursday, May 27, 2010, which motion prevailed.

**MOTION**

Senator Norris moved that Rule 39(3) be suspended for the purpose of allowing Amendments to any bills recommended by the Committee on Finance, Ways and Means, to be considered timely filed until 1:00 p.m., Thursday, May 27, 2010, which motion prevailed.

**NOTICES**

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3687, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 784, amended and concurred in by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 978, amended and concurred in by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2455. The House nonconcurred in Senate Amendment No. 2.

BURNEY T. DURHAM,  
Chief Clerk.

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**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2592. The House nonconcurrred in Senate Amendment No. 2.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2471. The House nonconcurrred in Senate Amendment No. 1.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2462. The House nonconcurrred in Senate Amendments Nos. 1 and 2.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2594. The House nonconcurrred in Senate Amendment No. 2.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2605. The House nonconcurrred in Senate Amendment No. 2.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2602. The House nonconcurrred in Senate Amendments Nos. 1 and 2.

BURNEY T. DURHAM,  
Chief Clerk.

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**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2606. The House nonconcurred in Senate Amendments Nos. 1 and 2.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2610. The House nonconcurred in Senate Amendments Nos. 1 and 2.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2618. The House nonconcurred in Senate Amendments Nos. 1 and 2.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 270. The House nonconcurred in Senate Amendments Nos. 2, 3, 8 and 10.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2418. The House refused to recede from its action in adopting House Amendment No. 4.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3602. The House acceded to the request of the Senate for the appointment of a Conference Committee. The Speaker appointed a Conference Committee composed of Representatives Tindell, Mike Turner and Haynes



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to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on Senate Bill No. 3602.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**  
May 24, 2010

MR. SPEAKER: I am directed to request the return of Senate Bill No. 2943, for further consideration.

BURNEY T. DURHAM,  
Chief Clerk.

**MOTION**

Senator Norris moved that **Senate Bill No. 2943** be returned to the House, which motion prevailed.

**MOTION**

Senator Herron moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 3626** on the calendar for the Committee on Finance, Ways and Means for Tuesday, May 25, 2010, which motion prevailed.

**MOTION**

On motion of Senators Black and Tracy, their names were added as sponsors of **Senate Joint Resolutions Nos. 1169, 1170, 1171 and 1178; and House Joint Resolutions Nos. 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286 and 1287.**

On motion of Senator Black, her name was added as sponsor of **Senate Joint Resolutions Nos. 1172 and 1199; and House Joint Resolutions Nos. 1295, 1296, 1297, 1298, 1300, 1301, 1302, 1303, 1304 and 1325.**

On motion of Senators Crowe and Tracy, their names were added as sponsors of **Senate Joint Resolution No. 1173.**

On motion of Senators Burks, Watson, Finney, Burchett, Overbey, Barnes, Beavers, Berke, Black, Crowe, Faulk, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Southerland, Stewart, Tate, Tracy, Woodson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **Senate Joint Resolution No. 1174.**

On motion of Senator Tracy, his name was added as sponsor of **Senate Joint Resolutions Nos. 1179 and 1180.**

On motion of Senator Beavers, her name was added as sponsor of **House Joint Resolution No. 1225.**

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On motion of Senator Bunch, his name was added as sponsor of **House Joint Resolution No. 1226**.

On motion of Senators Herron and Faulk, their names were added as sponsors of **House Joint Resolution No. 1229**.

On motion of Senator Faulk, his name was added as sponsor of **House Joint Resolutions Nos. 1230 and 1233**.

On motion of Senators Henry, Faulk, Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Finney, Ford, Gresham, Harper, Haynes, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **House Joint Resolution No. 1231**.

On motion of Senators Herron, Faulk, Harper and Burks, their names were added as sponsors of **House Joint Resolution No. 1232**.

On motion of Senator Jackson, his name was added as sponsor of **House Joint Resolutions Nos. 1235, 1255, 1308 and 1309**.

On motion of Senator Herron, his name was added as sponsor of **Senate Joint Resolution No. 1188; and House Joint Resolutions Nos. 1236, 1237, 1312 and 1329**.

On motion of Senator Ford, her name was added as sponsor of **House Joint Resolutions Nos. 1238, 1239, 1240 and 1241**.

On motion of Senators Beavers and Black, their names were added as sponsors of **House Joint Resolutions Nos. 796, 1242, 1315 and 1320**.

On motion of Senators Herron and Finney, their names were added as sponsors of **House Joint Resolutions Nos. 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251 and 1252**.

On motion of Senators Southerland and Crowe, their names were added as sponsors of **House Joint Resolution No. 1254**.

On motion of Senators Black, Haynes and Tracy, their names were added as sponsors of **House Joint Resolution No. 1256**.

On motion of Senators Burks and Black, their names were added as sponsors of **House Joint Resolutions Nos. 1258 and 1259**.

On motion of Senators Herron and Beavers, their names were added as sponsors of **House Joint Resolution No. 1266**.

On motion of Senators Southerland, Marrero, Crowe, Berke and Stewart, their names were added as sponsors of **House Joint Resolution No. 1269**.

On motion of Senators Kyle, Marrero, Crowe, Berke and Stewart, their names were added as sponsors of **House Joint Resolution No. 1270**.

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On motion of Senator Burks, her name was added as sponsor of **Senate Bills Nos. 2709, 2870 and 3330.**

On motion of Senators Black and Marrero, their names were added as sponsors of **Senate Resolution No. 216; and House Joint Resolution No. 744.**

On motion of Senators Henry and Herron, their names were added as sponsors of **Senate Joint Resolution No. 931.**

On motion of Senators Herron and Stewart, their names were added as sponsors of **Senate Joint Resolution No. 1073.**

On motion of Senators Burks, Marrero and Faulk, their names were added as sponsors of **House Joint Resolution No. 708.**

On motion of Senators Berke and Marrero, their names were added as sponsors of **House Joint Resolution No. 769.**

On motion of Senators Yager and Faulk, their names were added as sponsors of **House Joint Resolution No. 786.**

On motion of Senator Gresham, her name was added as sponsor of **House Joint Resolution No. 807.**

On motion of Senators Burks and Herron, their names were added as sponsors of **House Joint Resolution No. 890.**

On motion of Senators Burks, Marrero and Ford, their names were added as sponsors of **House Joint Resolution No. 959.**

On motion of Senators Ford, Marrero and Harper, their names were added as sponsors of **House Joint Resolution No. 974.**

On motion of Senators Kyle, Marrero, Crowe and Ford, their names were added as sponsors of **House Joint Resolution No. 1074.**

On motion of Senators Herron, Black, Henry, Overbey, Crowe and Ford, their names were added as sponsors of **House Joint Resolution No. 1161.**

On motion of Senators Black, Crowe, Stewart, Ford and Burks, their names were added as sponsors of **House Joint Resolution No. 1191.**

On motion of Senators Black, Kyle, Marrero, Crowe, Berke, Herron and Tracy, their names were added as sponsors of **House Joint Resolution No. 1222.**

On motion of Senators Herron, Kyle, Marrero, Harper, Finney, Norris, Stewart, Henry, Berke and Ford, their names were added as sponsors of **House Joint Resolution No. 759.**

On motion of Senators Herron, Burks, Barnes, Beavers, Berke, Black, Bunch, Burchett, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **House Joint Resolution No. 843.**

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On motion of Senators Watson and Berke, their names were added as sponsors of **House Joint Resolution No. 1273.**

On motion of Senators Southerland, Marrero and Herron, their names were added as sponsors of **House Joint Resolution No. 1275.**

On motion of Senator Norris, his name was added as sponsor of **House Joint Resolutions Nos. 1289, 1290, 1291 and 1292.**

On motion of Senator Johnson, his name was added as sponsor of **House Joint Resolution No. 1293.**

On motion of Senators McNally and Burchett, their names were added as sponsors of **House Joint Resolution No. 1310.**

On motion of Senator Yager, his name was added as sponsor of **House Joint Resolution No. 1311.**

On motion of Senators Herron, Harper and Finney, their names were added as sponsors of **House Joint Resolution No. 1313.**

On motion of Senators Overbey and Johnson, their names were added as sponsors of **House Joint Resolution No. 1316.**

On motion of Senator Stewart, his name was added as sponsor of **House Joint Resolution No. 1317 and 1328.**

On motion of Senator Henry, his name was added as sponsor of **House Joint Resolution No. 1319.**

On motion of Senator Barnes, his name was added as sponsor of **House Joint Resolution No. 1321.**

On motion of Senators Black, Harper and Haynes, their names were added as sponsors of **House Joint Resolution No. 1322.**

On motion of Senators Berke, Watson, Barnes, Beavers, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Woodson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **House Joint Resolution No. 1323.**

On motion of Senators Black and Harper, their names were added as sponsors of **House Joint Resolution No. 1324.**

On motion of Senators Harper and Stewart, their names were added as sponsors of **House Joint Resolutions Nos. 1326 and 1327.**

On motion of Senators Marrero and Norris, their names were added as sponsors of **House Joint Resolutions Nos. 1331 and 1332.**

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On motion of Senators Kyle and Marrero, their names were added as sponsors of **Senate Joint Resolution No. 1181**.

On motion of Senators Herron and Haynes, their names were added as sponsors of **Senate Joint Resolution No. 1185**.

On motion of Senator Crowe, his name was added as sponsor of **Senate Joint Resolution No. 1204**.

On motion of Senators Marrero and Ford, their names were added as sponsors of **Senate Joint Resolutions Nos. 1211 and 1212; and House Joint Resolution No. 781**.

On motion of Senator Tate, his name was added as sponsor of **Senate Bills Nos. 2900, 2901 and 2902**.

On motion of Senator Black, her name was added as sponsor of **Senate Bill No. 1141**.

On motion of Senator Woodson, her name was added as sponsor of **Senate Joint Resolution No. 1215**.

On motion of Senators Finney and Faulk, their names were added as sponsors of **Senate Bill No. 2970**.

On motion of Senators Henry, Marrero, Ford, Tate, Ketron, Faulk, Burks and Harper, their names were added as sponsors of **Senate Bill No. 3049**.

On motion of Senator Marrero, her name was added as sponsor of **Senate Bill No. 3059; Senate Joint Resolutions Nos. 1061, 1195, 1196 and 1216; and House Joint Resolution No. 1274**.

On motion of Senators Barnes, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **Senate Bill No. 3096**.

On motion, all Senators' names were added as sponsors of **Senate Joint Resolution No. 1184; and House Joint Resolution No. 1218**.

**ENGROSSED BILLS**

May 24, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 1916, 2626, 2835, 2837, 2870 and 3049; and Senate Joint Resolution No. 1255; and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN,  
Chief Engrossing Clerk.

**MONDAY, MAY 24, 2010 -- 88TH LEGISLATIVE DAY**

**ENGROSSED BILLS**

May 24, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolutions Nos. 931, 1061, 1073, 1093, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1193, 1195, 1196, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218 and 1236; and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN,  
Chief Engrossing Clerk.

**MESSAGE FROM THE HOUSE**

May 17, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 59, 3739, 3740, 3794, 3812, 3904, 3923 and 3981; passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 18, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 1273 and 3591, passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 20, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2486, 3537, 3538, 3543 and 3997; passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 20, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2600, 2781, 3259, 3526 and 3850; passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MONDAY, MAY 24, 2010 -- 88TH LEGISLATIVE DAY**

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1323, passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2284, passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 3334, 3353, 3554, 3735 and 3736; passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 17, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1218 and 1293, adopted, for the Senate's action.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 20, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 759, 843, 1051, 1149, 1294, 1295, 1296, 1297, 1298, 1300, 1301, 1302, 1303, 1304, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316 and 1317; adopted, for the Senate's action.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 20, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 992 and 1041, adopted, for the Senate's action.

BURNEY T. DURHAM,  
Chief Clerk.

**MONDAY, MAY 24, 2010 -- 88TH LEGISLATIVE DAY**

**MESSAGE FROM THE HOUSE**

May 21, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331 and 1332; adopted, for the Senate's action.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1183, 1253, 1257, 1333, 1334, 1335, 1336, 1337, 1338, 1339 and 1340; adopted, for the Senate's action.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1221, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1349, 1350, 1351, 1352, 1353, 1354 and 1355; adopted, for the Senate's action.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 17, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 399 and 3593, substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 17, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1325, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.



**MONDAY, MAY 24, 2010 -- 88TH LEGISLATIVE DAY**

**MESSAGE FROM THE HOUSE**

May 17, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2419, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 17, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2704, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 17, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3447, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 20, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1754, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 20, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2411. The House lifted the tabling motion to reconsider Senate Bill No. 2411. The House reconsidered and withdrew Amendment No. 3 and repassed Senate Bill No. 2411 on third and final consideration.

BURNEY T. DURHAM,  
Chief Clerk.

**MONDAY, MAY 24, 2010 -- 88TH LEGISLATIVE DAY**

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3119, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3474, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 17, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 890, 1141, 1142, 1144, 1145, 1146, 1147, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1161, 1162, 1163, 1164, 1165, 1166, 1167 and 1168; concurred in by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 20, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 306. The House lifted the tabling motion on Senate Joint Resolution No. 306. The House reconsidered and withdrew House Amendment No. 1 and concurred in Senate Joint Resolution No. 306.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 20, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 798, concurred in by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MONDAY, MAY 24, 2010 -- 88TH LEGISLATIVE DAY**

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1193, 1195, 1196, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218 and 1236; concurred in by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**ENROLLED BILLS**

May 17, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bill No. 3894, and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,  
Chief Engrossing Clerk.

**ENROLLED BILLS**

May 18, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bills Nos. 399, 1325, 2419, 2704, 3447 and 3593; and Senate Joint Resolutions Nos. 890, 1141, 1142, 1144, 1145, 1146, 1147, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1161, 1162, 1163, 1164, 1165, 1166, 1167 and 1168; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,  
Chief Engrossing Clerk.

**ENROLLED BILLS**

May 21, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bill No. 1754; and Senate Joint Resolutions Nos. 306 and 798; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,  
Chief Engrossing Clerk.

**ENROLLED BILLS**

May 25, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Resolutions Nos. 216, 223, 224 and 226; and find same correctly enrolled and ready for the signature of the Speaker.

M. SCOTT SLOAN,  
Chief Engrossing Clerk.

**MONDAY, MAY 24, 2010 -- 88TH LEGISLATIVE DAY**

**ENROLLED BILLS**

May 26, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bills Nos. 966, 2411, 2636, 2638, 3119, 3222, 3317, 3474 and 3843; and Senate Joint Resolutions Nos. 764, 1169, 1170, 1171, 1172, 1173, 1174 and 1175 1176, 1177, 1178, 1179, 1180, 1181, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1193, 1195, 1196, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218 and 1236; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,  
Chief Engrossing Clerk.

**MESSAGE FROM THE HOUSE**

May 17, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 238, 2552, 3041, 3191, 3293, 3577, 3583, 3598, 3601, 3725, 3768, 3924, 3979, 3993 and 3996; for the signature of the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 21, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 1047, for the signature of the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2719, 3057, 3404 and 3428; for the signature of the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 25, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 3259, for the signature of the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**MONDAY, MAY 24, 2010 -- 88TH LEGISLATIVE DAY**

**MESSAGE FROM THE HOUSE**

May 25, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 708, 744, 759, 769, 781, 786, 796, 807, 843, 890, 959, 974, 1074, 1078, 1161, 1191, 1218, 1222, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1254, 1255, 1256, 1258, 1259, 1265, 1266, 1267, 1269, 1270, 1272, 1273, 1274 and 1275; for the signature of the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 25, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1300, 1301, 1302, 1303, 1304, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1342 and 1343; for the signature of the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 26, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2485, 2486, 2612, 2616, 2617, 2619, 2866, 2952, 3025, 3355, 3480, 3537, 3538 and 3543; for the signature of the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**SIGNED**

May 17, 2010

The Speaker announced that he had signed the following: Senate Bills Nos. 1552, 1678, 1743, 2416, 2804, 2908, 2982, 2983, 3053, 3164, 3191, 3267, 3304, 3410, 3439, 3686 and 3693.

**SIGNED**

May 17, 2010

The Speaker announced that he had signed the following: Senate Bill No. 3894.

**SIGNED**

May 17, 2010

The Speaker announced that he had signed the following: House Bills Nos. 238, 2552, 3041, 3191, 3293, 3577, 3583, 3598, 3601, 3725, 3768, 3924, 3979, 3993 and 3996.

**MONDAY, MAY 24, 2010 -- 88TH LEGISLATIVE DAY**

**SIGNED**

May 18, 2010

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 890, 1141, 1142, 1144, 1145, 1146, 1147, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1161, 1162, 1163, 1164, 1165, 1166, 1167 and 1168.

**SIGNED**

May 20, 2010

The Speaker announced that he had signed the following: Senate Bills Nos. 399, 1325, 2419, 2704 and 3447.

**SIGNED**

May 21, 2010

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 306 and 798.

**SIGNED**

May 21, 2010

The Speaker announced that he had signed the following: House Joint Resolution No. 1047.

**SIGNED**

May 24, 2010

The Speaker announced that he had signed the following: Senate Bills Nos. 1754 and 3593.

**SIGNED**

May 24, 2010

The Speaker announced that he had signed the following: House Bills Nos. 2719, 3057, 3404 and 3428.

**SIGNED**

May 25, 2010

The Speaker announced that he had signed the following: Senate Resolutions Nos. 216, 223, 224 and 226.

**SIGNED**

May 25, 2010

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 708, 744, 759, 769, 781, 786, 796, 807, 843, 890, 959, 974, 1074, 1078, 1161, 1191, 1218, 1222, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1254, 1255, 1256, 1258, 1259, 1265, 1266, 1267, 1269, 1270, 1272, 1273, 1274 and 1275.

**MONDAY, MAY 24, 2010 -- 88TH LEGISLATIVE DAY**

**SIGNED**

May 25, 2010

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1300, 1301, 1302, 1303, 1304, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1342 and 1343.

**SIGNED**

May 26, 2010

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 764, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1193, 1195, 1196, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218 and 1236.

**SIGNED**

May 26, 2010

The Speaker announced that he had signed the following: House Bill No. 3259.

**MESSAGE FROM THE HOUSE**

May 17, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 3806 and 3824, signed by the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 18, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1552, 1678, 1743, 2416, 2804, 2908, 2982, 2983, 3053, 3164, 3191, 3267, 3304, 3410, 3439, 3686 and 3693; signed by the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 18, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 890, 1141, 1142, 1144, 1145, 1146, 1147, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1161, 1162, 1163, 1164, 1165, 1166, 1167 and 1168; signed by the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**MONDAY, MAY 24, 2010 -- 88TH LEGISLATIVE DAY**

**MESSAGE FROM THE HOUSE**

May 19, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3894, signed by the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 21, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 306 and 798, signed by the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 399, 1325, 2419, 2704 and 3447; signed by the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 24, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1754 and 3593, signed by the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 26, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 764, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1193, 1195, 1196, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218 and 1236; signed by the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.



**MONDAY, MAY 24, 2010 -- 88TH LEGISLATIVE DAY**

**REPORT OF CHIEF ENGROSSING CLERK**

May 17, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 3806 and 3824, for his action.

M. SCOTT SLOAN,  
Chief Engrossing Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

May 18, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 890, 1141, 1142, 1144, 1145, 1146, 1147, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1161, 1162, 1163, 1164, 1165, 1166, 1167 and 1168; for his action.

M. SCOTT SLOAN,  
Chief Engrossing Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

May 19, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 1552, 1678, 1743, 2416, 2804, 2908, 2982, 2983, 3053, 3164, 3191, 3267, 3304, 3410, 3439, 3686 and 3693; for his action.

M. SCOTT SLOAN,  
Chief Engrossing Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

May 19, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bill No. 3894, for his action.

M. SCOTT SLOAN,  
Chief Engrossing Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

May 21, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 306 and 798, for his action.

M. SCOTT SLOAN,  
Chief Engrossing Clerk.

**MONDAY, MAY 24, 2010 -- 88TH LEGISLATIVE DAY**

**REPORT OF CHIEF ENGROSSING CLERK**

May 25, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 399, 1325, 1754, 2419, 2704, 3447 and 3593; for his action.

M. SCOTT SLOAN,  
Chief Engrossing Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

May 26, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 764, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1193, 1195, 1196, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218 and 1236; for his action.

M. SCOTT SLOAN,  
Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR**

May 24, 2010

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 890, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1192, 1194 and 1198; with his approval.

STEVEN E. ELKINS,  
Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR**

May 26, 2010

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 769, 1075, 1743, 2023, 2205, 2341, 2416, 2581, 2712, 2908, 2928, 2965, 2982, 2983, 3002, 3053, 3144, 3161, 3191, 3246, 3257, 3304, 3361, 3410, 3421, 3425, 3430, 3439, 3457, 3608, 3622, 3627, 3686, 3693, 3789, 3819, 3824 and 3894; and Senate Joint Resolutions Nos. 306 and 798; with his approval.

STEVEN E. ELKINS,  
Counsel to the Governor.

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, May 24, 2010: Senate Joint Resolutions Nos. 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179 and 1180; Senate Resolutions Nos.

**MONDAY, MAY 24, 2010 -- 88TH LEGISLATIVE DAY**

223 and 224; and House Joint Resolutions Nos. 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1254, 1255, 1256, 1258, 1259, 1265, 1266, 1267, 1269 and 1270.

This the 20th day of May, 2010.  
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, May 24, 2010: Senate Bills Nos. 2702 and 3330; Senate Resolution No. 216; Senate Joint Resolutions Nos. 931, 1061, 1073 and 1093; and House Joint Resolutions Nos. 708, 744, 769, 781, 786, 796, 807, 890, 959, 974, 1074, 1078, 1161, 1191 and 1222.

This the 20th day of May, 2010.  
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, May 27, 2010: House Joint Resolutions Nos. 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1344, 1345, 1346, 1347, 1349, 1350, 1351, 1352, 1353, 1354 and 1355; Senate Joint Resolutions Nos. 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1235, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1256, 1257, 1258, 1259, 1261, 1262 and 1263; and Senate Resolutions Nos. 227 and 228.

This the 25th day of May, 2010.  
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, May 24, 2010: Senate Bills Nos. 131, 132, 274, 954, 1916, 2431, 2433, 2434, 2436, 2508, 2621, 2626, 2699, 2709, 2809, 2835, 2837, 2870, 2900, 2901, 2902, 2911, 2970, 3049, 3059, 3096, 3110, 3174, 3198, 3333, 3398, 3415, 3431, 3518, 3536, 3644, 3685, 3846, 3851, 3865, 3873, 3874, 3901, 3905 and 3909; House Joint Resolutions Nos. 30, 793, 1019 and 1207; Senate Bills Nos. 1444, 1472, 2033, 2297, 2424, 2449, 2451, 2665, 2810, 2811, 3121 and 3345; and House Bills Nos. 670, 2510, 3149 and 3351.

This the 20th day of May, 2010.  
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, May 27, 2010: House Bill No. 670; Senate Bills Nos. 3110, 3174, 3198, 3333, 3398, 3415, 3431, 3518, 3536, 3644, 3685, 3846, 3851, 3865, 3873,

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3874, 3905 and 3909; House Joint Resolutions Nos. 30, 793, 1019 and 1207; Senate Bills Nos. 1444, 1472, 2033, 2297, 2424, 2449, 2451, 2665, 2810, 2811, 3121 and 3345; House Bills Nos. 2510, 3149 and 3351; Senate Bills Nos. 131, 273 and 2472; House Bill No. 2781; and Senate Joint Resolutions Nos. 1182, 1183 and 1197.

This the 25th day of May, 2010.  
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR  
SENATE MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Monday, May 24, 2010: Senate Bills Nos. 2488, 2638, 2943, 3489 and 3602; and House Bills Nos. 2492, 3376 and 3753.

This the 20th day of May, 2010  
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR  
SENATE MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Thursday, May 27, 2010: Senate Bills Nos. 440, 2418, 2488, 3489 and 3687; House Bills Nos. 270, 2455, 2462, 2471, 2492, 2592, 2594, 2602, 2605, 2606, 2610 and 2618; and Senate Joint Resolutions Nos. 784 and 978.

This the 25th day of May, 2010  
MIKE FAULK, Chairperson.

**ADJOURNMENT**

Senator Norris moved the Senate adjourn until 10:00 a.m., Thursday, May 27, 2010, which motion prevailed.